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Fifty-fourth session
Agenda item 26

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-FOURTH SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Roman KUZNIAR

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VII. THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-11449 (E)

VII. THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

1. The Commission considered agenda item 7 concurrently with item 4 (see chap. IV) at its 6th to 10th meetings, from 18 to 20 March, and at its 20th meeting, on 27 March 1998. 1/

2. For the documents issued under agenda item 7, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 6th meeting, on 18 March 1998, the Special Rapporteur on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, Mr. Enrique Bernales Ballesteros, introduced his report (E/CN.4/1998/31).

4. In the general debate on agenda item 7, statements 2/ were made by the following members of the Commission: China (8th), Cuba (8th), Indonesia (8th), Madagascar (6th), Pakistan (8th), Republic of Korea (6th), Sudan (7th), Tunisia (6th), Ukraine (6th).

5. The Commission heard statements by the observers for: Algeria (8th), Armenia (6th), Azerbaijan (8th), Egypt (6th), Iran (Islamic Republic of) (8th), Iraq (6th), Jordan (6th), Norway (8th), Portugal (8th), Swaziland (8th), Syrian Arab Republic (8th).

6. The Commission also heard statements by the following non-governmental organizations: Arab Lawyers Union (9th), Asian Buddhist Conference for Peace (9th), Centre Europe-Tiers Monde (7th), International Association of Democratic Lawyers (9th), International Commission of Jurists (8th), International Educational Development (7th), International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities (6th), International Indian Treaty Council (9th), International League for the Rights and Liberation of Peoples (9th), International Progress Organization (9th), Liberation (9th), Pax Christi International (joint statement with Transnational Radical Party)(9th), Pax Romana (9th), Society for Threatened Peoples (6th), United Towns Agency for North-South Cooperation (7th), World Muslim Congress (9th), World Society of Victimology (joint statement with International Human Rights Association of American Minorities)(9th).

7. Statements in exercise of the right of reply or its equivalent were made by the representatives of Indonesia (8th, 10th) and Morocco (8th) and by the observers for Angola (8th) and Portugal (8th, 10th).

8. At its 20th meeting, on 27 March 1998, the Commission took up consideration of the draft resolutions submitted under agenda item 7.

Situation in occupied Palestine

9. The representative of Tunisia introduced draft resolution E/CN.4/1998/L.4, sponsored by Algeria, Bahrain, Bangladesh, China, Cuba, Egypt, Indonesia, Jordan, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates and Yemen. Malaysia and South Africa subsequently joined the sponsors.

10. Statements in connection with the draft resolution were made by the observers for Israel and Palestine.

11. A statement in explanation of vote before the vote was made by the representative of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union).

12. The representative of the United States of America requested a vote. At the request of the representative of Tunisia, a roll-call vote was taken on the draft resolution, which was adopted by 34 votes to 1, with 18 abstentions. The voting was as follows:

In favour: Bangladesh, Belarus, Bhutan, Botswana, Brazil, Cape Verde, Chile, China, Congo, Cuba, Democratic Republic of the Congo, Guinea, India, Indonesia, Madagascar, Malaysia, Mali, Mexico, Morocco, Mozambique, Nepal, Pakistan, Peru, Philippines, Republic of Korea, Russian Federation, Rwanda, Senegal, South Africa, Sri Lanka, Sudan, Tunisia, Uganda, Venezuela.

Against: United States of America.

Abstaining: Argentina, Austria, Canada, Czech Republic, Denmark, Ecuador, El Salvador, France, Germany, Guatemala, Ireland, Italy, Japan, Luxembourg, Poland, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

13. A statement in explanation of vote after the vote was made the representative of the Russian Federation.

14. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/4.

Question of Western Sahara

15. The Chairman introduced draft resolution E/CN.4/1998/L.6, submitted by the Chairman.

16. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/5.

The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

17. The representative of Cuba introduced draft resolution E/CN.4/1998/L.8, sponsored by Algeria, Cuba, the Democratic Republic of the Congo, Egypt, Guinea, Mali, Swaziland and Uganda. Angola, Cameroon, Ethiopia, Ghana, India, Madagascar and Nigeria subsequently joined the sponsors.

18. The representative of Cuba orally revised the draft resolution by inserting, after operative paragraph 4, two new operative paragraphs.

19. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

20. A statement in explanation of vote before the vote was made by the representative of the United States of America.

21. The representative of the United Kingdom of Great Britain and Northern Ireland requested a vote. At the request of the representative of Cuba, a roll-call vote was taken on the draft resolution, which was adopted by 35 votes to 9, with 8 abstentions. The voting was as follows:

In favour: Bangladesh, Bhutan, Botswana, Brazil, Cape Verde, Chile, China, Congo, Cuba, Democratic Republic of the Congo, Ecuador, El Salvador, Guatemala, Guinea, India, Indonesia, Madagascar, Malaysia, Mali, Mexico, Morocco, Mozambique, Nepal, Pakistan, Peru, Philippines, Russian Federation, Rwanda, Senegal, South Africa, Sri Lanka, Sudan, Uganda, Uruguay, Venezuela.

Against: Austria, Canada, Denmark, Germany, Japan, Luxembourg, Poland, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Belarus, Czech Republic, France, Ireland, Italy, Republic of Korea, Ukraine.

22. The delegation of Tunisia later advised the Secretariat that, had it been present, it would have voted in favour of the draft resolution.

23. A statement in explanation of vote after the vote was made by the representative of the Congo.

24. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/6.

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VIII. QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR:

(a) TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT;

(b) STATUS OF THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT;

(c) QUESTION OF ENFORCED OR INVOLUNTARY DISAPPEARANCES;

(d) QUESTION OF A DRAFT OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

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GE.98-12543 (E)

VIII. QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR:

(a) TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT;

(b) STATUS OF THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT;

(c) QUESTION OF ENFORCED OR INVOLUNTARY DISAPPEARANCES;

(d) QUESTION OF A DRAFT OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

1. The Commission considered agenda item 8 at its 26th to 31st meetings, from 1 to 3 April, at its 51st and 52nd meetings, on 17 April, and at its 58th meeting, on 22 April 1998. 1/

2. For the documents issued under agenda item 8, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 26th meeting, on 1 April 1998, the Chairman-Rapporteur of the Working Group on Enforced or Involuntary Disappearances, Mr. Ivan Tosevski, presented the report of the Working Group (E/CN.4/1998/43).

4. At the 27th meeting, on 1 April 1998, the Special Rapporteur on the question of torture, Mr. Nigel S. Rodley, introduced his report (E/CN.4/1998/38 and A.1-2).

5. At the 27th meeting, on 1 April 1998, the Special Rapporteur on the independence of judges and lawyers, Mr. Param Cumaraswamy, introduced his report (E/CN.4/1998/39 and Add.1 and Add.3-5). At the 31st meeting, on 3 April 1998, the Special Rapporteur made his concluding remarks.

6. At the 28th meeting, on 2 April 1998, the Chairman-Rapporteur of the working group on the draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Mr. Carlos Vargas Pizarro, introduced the report of the working group (E/CN.4/1998/42 and Corr.1).

7. Also at the 28th meeting, on 2 April 1998, Mr. Tosevski, in his capacity as member of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture, made a statement.

8. At the 29th meeting, on 2 April 1998, the observer for the United Nations Children's Fund made a statement.

9. At the 30th meeting, on 3 April 1998, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. Abid Hussain, introduced his report (E/CN.4/1998/40 and Add.1-2).

10. Also at the 30th meeting, on 3 April 1998, Mr. Louis Joinet, member of the Working Group on Arbitrary Detention, introduced the report of the Working Group (E/CN.4/1998/44 and Add.1-2). At the 31st meeting, on 3 April 1998, Mr. Joinet made his concluding remarks.

11. In the general debate on agenda item 8, statements 2/ were made by the following members of the Commission: Argentina (28th), Austria (28th), Belarus (30th), Brazil (30th), Chile (28th), China (31st), Denmark (30th), Indonesia (28th), Ireland (28th), Mexico (27th), Pakistan (31st), Peru (30th), Poland (31st), Republic of Korea (28th), Russian Federation (31st), Senegal (28th), Tunisia (31st), United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union, Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia) (28th), Venezuela (28th).

12. The Commission heard statements by the observers for: Algeria (31st), Andorra (28th), Bosnia and Herzegovina (28th), Cameroon (31st), Costa Rica (26th), Cyprus (31st), Egypt (28th), Iran (Islamic Republic of) (31st), Norway (28th), Zambia (31st). The observer for Switzerland also made a statement (31st).

13. A statement was made by the observer for the International Committee of the Red Cross (31st).

14. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (27th), Afro-Asian Peoples' Solidarity Organization (27th), American Association of Jurists (26th), Amnesty International (27th), Andean Commission of Jurists (29th), Arab Organization for Human Rights (27th), Article XIX: The International Centre against Censorship (26th), Asian Buddhists Conference for Peace (27th), Asian Cultural Forum on Development (27th), Association for the Prevention of Torture (27th), Centre Europe-Tiers Monde (26th), Christian Democrat International (29th), Commission for the Defence of Human Rights in Central America (31st), December 12th Movement International Secretariat (27th), European Union of Public Relations (28th), Federation of

Associations for the Defence and Protection of Human Rights (31st), France-Libertés: Fondation Danielle Mitterrand (27th), Franciscans International (26th), Himalayan Research and Cultural Foundation (29th), Human Rights Watch (27th), Indian Council of Education (28th), Indian Movement "Tupaj Amaru" (29th), International Association against Torture (27th), International Association of Democratic Lawyers (27th), International Commission of Jurists (29th), International Council of Nurses (31st), International Educational Development, Inc. (27th), International Federation of ACAT (Action of Christians for the Abolition of Torture) (29th), International Federation of Human Rights Leagues (26th), International Federation of Journalists (28th), International Federation of Women in Legal Careers (31st), International Human Rights Law Group (27th), International Indian Treaty Council (28th), International Institute for Peace (29th), International League for Human Rights (31st), International League for the Rights and Liberation of Peoples (27th), International Movement for Fraternal Union among Races and Peoples (26th), International Organization for the Elimination of All Forms of Racial Discrimination (29th), International PEN (26th), International Prison Watch (28th), International Progress Organization (27th), International Rehabilitation Council for Torture Victims (27th), International Treaty Four Secretariat (29th), Latin American Federation of Associations of Relatives of Disappeared Detainees (29th), Lawyers Committee for Human Rights (29th), Liberation (28th), Movement against Racism and for Friendship among All Peoples (28th), Pax Christi International (29th), Pax Romana (26th), Robert F. Kennedy Memorial (27th), Society for Threatened Peoples (31st), Transnational Radical Party (31st), War Resisters' International (27th), Women's International League for Peace and Freedom (29th), World Federation of Democratic Youth (29th), World Federation of Trade Unions (31st), World Muslim Congress (31st), World Organization against Torture (26th), World Society of Victimology (29th), Worldview International Foundation (31st).

15. Statements in exercise of the right of reply or its equivalent were made by the representatives of Cuba (31st), Malaysia (29th), Morocco (29th) and Venezuela (31st) and by the observers for Bahrain (29th), Egypt (27th), the Libyan Arab Jamahirya (29th), Mauritania (29th), Viet Nam (29th) and Yemen (27th, 29th).

Hostage-taking

16. At the 51st meeting, on 17 April 1998, the representative of the Russian Federation introduced draft resolution E/CN.4/1998/L.43, sponsored by Argentina, Belarus, Brazil, Chile, China, Colombia, Costa Rica, Cyprus, El Salvador, Greece, India, Ireland, Italy, Japan, Nicaragua, Peru, the Philippines, Portugal, the Republic of Korea, the Russian Federation and the United Kingdom of Great Britain and Northern Ireland. Australia, Bangladesh, the Dominican Republic, Ecuador, Georgia, Indonesia, Pakistan, Poland, Spain, Sri Lanka, Turkey, Uruguay and Venezuela subsequently joined the sponsors.

17. Operative paragraph 1 of the draft resolution was orally revised by the representative of the Russian Federation.

18. Statements were made in connection with the draft resolution by Mexico and Peru.

19. At the request of the representative of Peru, consideration of the draft resolution was postponed.

20. At the 58th meeting, on 22 April 1998, the Commission resumed consideration of draft resolution E/CN.4/1998/L.43.

21. A statement in connection with the draft resolution was made by the representative of the Russian Federation.

22. The revisions made earlier to operative paragraph 1 of the draft resolution (see paragraph 17) were withdrawn by the representative of the Russian Federation.

23. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/73.

Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

24. At the 51st meeting, on 17 April 1998, the observer for Costa Rica introduced draft resolution E/CN.4/1998/L.49, sponsored by Argentina, Australia, Austria, Brazil, Bulgaria, Cameroon, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, El Salvador, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Ireland, Italy, Liechtenstein, Luxembourg, Mali, Mexico, Nicaragua, Norway, Peru, Poland, Portugal, Romania, the Russian Federation, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic

of Macedonia, Uruguay and Venezuela. Belarus, Canada, Greece, Nepal, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America subsequently joined the sponsors.

25. Operative paragraph 8 of the draft resolution was orally revised by the observer for Costa Rica.

26. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

27. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/34.

Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers

28. At the 51st meeting, on 17 April 1998, the observer for Hungary introduced draft resolution E/CN.4/1998/L.53, sponsored by Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, the Czech Republic, Denmark, the Dominican Republic, El Salvador, Finland, France, Germany, Greece, Haiti, Honduras, Hungary, Ireland, Italy, Lithuania, Luxembourg, Madagascar, Mali, Nepal, the Netherlands, Norway, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay. Angola, Japan, the Russian Federation, the former Yugoslav Republic of Macedonia and Togo subsequently joined the sponsors.

29. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/35.

Human rights and forensic science

30. At the 51st meeting, on 17 April 1998, the representative of Denmark introduced draft resolution E/CN.4/1998/L.54, sponsored by Argentina, Austria, Canada, Denmark, France, Germany, Greece, Portugal, the Russian Federation, Slovakia, Spain and the United States of America. Belarus, Finland, Greece, Italy, Japan and the Philippines subsequently joined the sponsors.

31. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/36.

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32. At the 51st meeting, on 17 April 1998, the observer for Portugal introduced draft resolution E/CN.4/1998/L.55, sponsored by Angola, Austria, Belgium, Brazil, Bulgaria, Canada, Cape Verde, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Lithuania, Luxembourg, Malta, the Netherlands, New Zealand, Norway, Peru, the Philippines, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, San Marino, Slovakia, Spain, Sweden, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Argentina, Armenia, Australia, Brazil, Costa Rica, Egypt, Israel, the former Yugoslav Republic of Macedonia and Tunisia subsequently joined the sponsors.

33. A statement in explanation of vote before the vote was made by the representative of Mexico.

34. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/37.

Torture and other cruel, inhuman or degrading treatment or punishment

35. At the 51st meeting, on 17 April 1998, the representative of Denmark introduced draft resolution E/CN.4/1998/L.56, sponsored by Australia, Austria, Belgium, Canada, Chile, the Czech Republic, Denmark, El Salvador, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, the Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Korea, Romania, Slovakia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Angola, Argentina, Belarus, Bulgaria, Costa Rica, Ecuador, Georgia, Iceland, the Russian Federation, Senegal, South Africa, the former Yugoslav Republic of Macedonia and Venezuela subsequently joined the sponsors.

36. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

37. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/38.

Human rights in the administration of justice, in particular of children and juveniles in detention

38. At the 51st meeting, on 17 April 1998, the representative of Austria introduced draft resolution E/CN.4/1998/L.58, sponsored by Andorra, Argentina, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Cape Verde, Chile, Colombia, the Czech Republic, Denmark, the Dominican Republic, El Salvador, Ethiopia, Finland, France, Georgia, Germany, Guatemala, Hungary, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Luxembourg, Mali, Malta, Mexico, Mongolia, Nicaragua, the Philippines, Poland, Portugal, the Republic of Korea, Romania, Rwanda, Slovakia, Slovenia, South Africa, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine and Uruguay. Angola, Australia, Brazil, Canada, Cyprus, Georgia, Greece, Haiti, Israel, New Zealand, Norway and Togo subsequently joined the sponsors.

39. The fifth preambular paragraph and operative paragraph 15 of the draft resolution were orally revised by the representative of Austria.

40. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/39.

Question of enforced or involuntary disappearances

41. At the 51st meeting, on 17 April 1998, the representative of France introduced draft resolution E/CN.4/1998/L.60, sponsored by Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Côte d'Ivoire, Cuba, Cyprus, the Czech Republic, Denmark, Finland, Georgia, Germany, Greece, Hungary, Ireland, Italy, Liechtenstein, Lithuania, Luxembourg, Madagascar, the Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Korea, Romania, San Marino, Senegal, Slovakia, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Angola, Armenia, Brazil, Costa Rica, Ecuador, the Russian Federation and the former Yugoslav Republic of Macedonia subsequently joined the sponsors.

42. Operative paragraphs 2 and 11 of the draft resolution were orally revised by the representative of France.

43. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

44. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/40.

Question of arbitrary detention

45. At the 51st meeting, on 17 April 1998, the representative of France introduced draft resolution E/CN.4/1998/L.61, sponsored by Argentina, Austria, Belgium, Bulgaria, Canada, Chile, Colombia, Cyprus, the Czech Republic, Denmark, El Salvador, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Liechtenstein, Lithuania, Luxembourg, Madagascar, Norway, Poland, Portugal, Romania, Senegal, Slovakia, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Angola, Armenia, Costa Rica, the Dominican Republic, Ecuador, the Russian Federation, the former Yugoslav Republic of Macedonia and Uruguay subsequently joined the sponsors.

46. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/41.

Right to freedom of opinion and expression

47. At the 51st meeting, on 17 April 1998, the representative of Canada introduced draft resolution E/CN.4/1998/L.62, sponsored by Andorra, Austria, Bulgaria, Canada, Cape Verde, Chile, the Czech Republic, El Salvador, Finland, France, Germany, Hungary, Ireland, Italy, Japan, Liechtenstein, Peru, Portugal, Romania, Slovakia, Sweden and Switzerland. Angola, Australia, Argentina, Bangladesh, Brazil, Colombia, Côte d'Ivoire, Costa Rica, Denmark, the Dominican Republic, Ecuador, Egypt, Estonia, Greece, Georgia, Guatemala, India, Latvia, Lithuania, Luxembourg, Mali, Mauritius, Nepal, the Netherlands, New Zealand, Norway, Pakistan, Paraguay, Poland, Slovenia, the Russian Federation, the former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay subsequently joined the sponsors.

48. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/42.

49. A statement in connection with the resolution was made by the representative of Cuba after its adoption.

The right to restitution, compensation and rehabilitation for victims of grave violations of human rights and fundamental freedoms

50. At the 52nd meeting, on 17 April 1998, the representative of Chile introduced draft resolution E/CN.4/1998/L.76, sponsored by Argentina, Bulgaria, Canada, Cape Verde, Chile, Colombia, Costa Rica, Cuba, Denmark, the Dominican Republic, Ecuador, Estonia, Finland, France, Germany, Italy, Madagascar, the Netherlands, Nicaragua, the Philippines, Poland, Portugal, the Republic of Korea, Senegal, South Africa, Sweden, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela. Angola and Georgia subsequently joined the sponsors.

51. Operative paragraph 2 of the draft resolution was orally revised by the representative of Chile.

52. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

53. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/43.

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(a) ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS;

(b) NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS;

(c) COORDINATING ROLE OF THE CENTRE FOR HUMAN RIGHTS WITHIN THE UNITED NATIONS BODIES AND MACHINERY DEALING WITH THE PROMOTION AND PROTECTION OF HUMAN RIGHTS;

(d) HUMAN RIGHTS, MASS EXODUSES AND DISPLACED PERSONS.

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GE.98-12568 (E)

IX. FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

(a) ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS;

(b) NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS;

(c) COORDINATING ROLE OF THE CENTRE FOR HUMAN RIGHTS WITHIN THE UNITED NATIONS BODIES AND MACHINERY DEALING WITH THE PROMOTION AND PROTECTION OF HUMAN RIGHTS;

(d) HUMAN RIGHTS, MASS EXODUSES AND DISPLACED PERSONS.

1. The Commission considered agenda item 9 and sub-items (a)-(d) at its 7th meeting, on 19 March, and concurrently with item 17 (see chap. XVII) at its 32nd to 34th meetings, on 6 April, at its 35th meeting on 8 April, at its 39th to 41st meetings, on 9 April, at its 44th meeting, on 14 April and 59th meeting, on 22 April, at its ... meeting, on 24 April 1998. 1/

2. For the documents issued under agenda item 9 and sub-items (a)-(d), see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At its 33rd meeting, the Commission held a special debate on gender issues and human rights. The special debate was introduced by a panel of three speakers, Ms. Patricia Flor, Chairperson of the Commission on the Status of Women, Mrs. Mary Robinson, High Commissioner for Human Rights, and Ms. Radhika Coomaraswamy, Special Rapporteur on violence against women, its causes and consequences. Ms. Patricia Flor opened the discussion, and Mrs. Mary Robinson and Ms. Radhika Coomaraswamy subsequently made statements.

4. In the special debate on gender issues and human rights, statements 2/ were made by the following members of the Commission: Canada (33rd), Denmark (33rd), Germany (33rd), India (33rd), Japan (33rd), Republic of Korea (33rd), Tunisia (33rd), Uganda (33rd), United States of America (33rd), Venezuela (33rd).

5. The Commission heard statements by the observers for: Afghanistan (33rd), Libyan Arab Jamahiriya (33rd), New Zealand (33rd), Norway (33rd), Sweden (33rd).

6. A statement was also made by the observer from the United Nations Development Fund for Women (33rd).

7. The Commission also heard statements by the following non-governmental organizations: Centre for Women's Global Leadership (33rd), European Union for Public Relations (33rd), Inter-African Committee on Traditional Practices Affecting the Health of Women (33rd), International Human Rights Law Group (joint statement with Amnesty International)(33rd), International Institute for Peace (33rd), International Movement Against All Forms of Discrimination and Racism (33rd), North-South XXI (33rd), World Federation of Methodist and Uniting Church Women (33rd).

8. In an interactive dialogue, the panel of speakers made remarks and responded to statements made.

(a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

9. At the 7th meeting, on 19 March 1998, the Chairperson of the Committee on the Elimination of Discrimination against Women, Ms. Salma Khan, made a statement.

10. At the 32nd meeting, on 6 April 1998, the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, introduced her report (E/CN.4/1998/54 and Add.1).

11. In the general debate on agenda item 9 (a), statements 2/ were made by the following members of the Commission: Bangladesh (35th), Brazil (34th), Canada (34th), China (35th), Cuba (35th), Denmark (35th), El Salvador (35th), Germany (35th), India (34th), Indonesia (39th), Japan (34th), Mexico (35th), Pakistan (35th), Peru (34th), Poland (35th), Republic of Korea (34th), Russian Federation (35th), South Africa (35th and 39th), Tunisia (35th), United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union, Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia)(35th), Ukraine (35th), United States of America (35th).

12. The Commission heard statements by the observers for: Afghanistan (40th), Algeria (39th), Azerbaijan (39th), Democratic People's Republic of Korea (40th), Cameroon (40th), Georgia (39th), Iran (Islamic Republic of) (40th), Israel (40th), Lithuania (40th), Libyan Arab Jamahiriya (39th),

Malta (39th), the Netherlands (40th), New Zealand (39th), Norway (40th), Romania (40th), Turkey (40th). The observer for Switzerland also made a statement (40th).

13. Statements were also made by the observers for the United Nations Development Fund for Women (40th), the United Nations Fund for Population Activities (40th), the World Food Programme (39th), the World Health Organization (39th).

14. The Commission also heard statements by the following non-governmental organizations: African Commission of Health and Human Rights Promoters (40th), Afro-Asian People's Solidarity Organization (41st), Asian Buddhist Conference for Peace (44th), Asian Cultural Forum on Development (41st), Asian Women's Human Rights Council (41st), Canadian Council of Churches (41st), Catholic Institute for International Relations (41st), European Union of Public Relations (41st), Himalayan Research and Cultural Foundation (41st), Human Rights Watch (41st), Indian Movement "Tupaj Amaru" (41st), International Confederation of Free Trade Unions (41st), International Federation of Human Rights Leagues (41st), International Federation of Women in Legal Careers (41st), International Human Rights Law Group (41st), International League for Human Rights (40th), International Organization for the Development of Freedom of Education (44th), International Progress Organization (41st), International Women's Tribune Centre (44th), Latin American and Caribbean Committee for the Defence of Women´s Rights (44th), Movement Against Racism and for Friendship among Peoples (44th), Parliamentarians for Global Action (41st), Pax Christi International (40th), Transnational Radical Party (41st), Women's International Democratic Federation (41st), Women's International League for Peace and Freedom (41st), World Alliance of Reformed Churches (joint statement with the World Council of Churches)(41st), World Federation for Mental Health (44th), World Federation of Methodist and Uniting Church Women (on behalf of Coalition Against Trafficking in Women, Defence for Children International, International Council on Social Welfare, International Federation of Social Workers, International Federation of University Women, National Council of German Women's Organizations, Pax Christi International, Socialist International Women, Soroptimist International, Women's World Summit Foundation, World Association of Girl Guides and Girl Scouts, World Federation of United Nations Associations, World Union of Catholic Women's Organizations,

World Young Women's Christian Association (World YWCA), Zonta International (40th), World Organization against Torture (40th), World Society of Victimology (41st).

(b) National institutions for the promotion and protection of human rights

15. In the general debate on agenda item 9 (b), statements 2/ were made by the following members of the Commission: Argentina (34th), China (35th), El Salvador (35th), Guatemala (39th), Japan (34th), Madagascar (35th), Pakistan (35th), South Africa (39th), Sri Lanka (34th).

16. The Commission heard statements by the observers for: Australia (40th), Malta (39th), Romania (40th).

17. Statements were also made by: Australian Human Rights and Equal Opportunity Commission (32nd), Canadian Human Rights Commission (32nd), Comité supérieur des droits de l'homme et des libertés fondamentales (Tunisia) (34th), Commission nationale consultative des droits de l'homme (France) (34th), Commission nationale des droits de l'homme (Togo) (34th), Commission on Human Rights Philippines (32nd), Consultative Council for Human Rights of the Kingdom of Morocco (32nd), Danish Centre for Human Rights (32nd), Human Rights Commission in New Zealand (32nd), National Commission on Human Rights and Freedoms (Cameroon) (32nd), National Commission on Human Rights of Mexico (32nd), National Commission of Human Rights of Venezuela (34th), National Human Rights Commission of India (32nd), National Human Rights Commission of Indonesia (34th), National Security Council on Human Rights Issues of Georgia (34th), Observatoire national des droits de l'homme (Algeria) (34th), South African Human Rights Commission (32nd), Uganda Human Rights Commission (34th).

18. The Commission also heard statements by the following non-governmental organizations: Andean Commission of Jurists (40th), Asian Cultural Forum on Development (41st), Federation of Associations for the Defence and Promotion of Human Rights (44th), Human Rights Internet (41st), Service Peace and Justice in Latin America (44th).

(c) Coordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights

19. In the general debate on agenda item 9 (c), statements 2/ were made by the following members of the Commission: China (35th), Cuba (35th), Poland (35th), Russian Federation (35th), South Africa (39th), Ukraine (35th).

20. The Commission heard statements by the observers for: Georgia (39th), Malta (39th).

21. A statement was also made by the observer for the World Food Programme (39th).

(d) Human rights, mass exoduses and displaced persons

22. At the 34th meeting, on 6 April 1998, the representative of the Secretary-General on internally displaced persons, Mr. Francis M. Deng, introduced his report (E/CN.4/1998/53 and Add.1-2).

23. In the general debate on agenda item 9 (d), statements 2/ were made by the following members of the Commission: Austria (35th), Brazil (34th), Malaysia (35th), Mexico (35th), Russian Federation (35th), Ukraine (35th), United States of America (34th).

24. The Commission heard statements by the observers for: Armenia (40th), Azerbaijan (39th), Cyprus (40th), Georgia (39th), Hungary (39th), Sweden (on behalf of the Nordic countries) (40th). The observer for Switzerland also made a statement (40th).

25. A statement was also made by the observers for the International Committee of the Red Cross (40th), International Organization for Migration (40th), United Nations Children's Fund (40th), World Food Programme (39th).

26. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (40th), Amnesty International (40th), Canadian Council of Churches (41st), Caritas Internationalis (joint statement with Friends World Committee for Consultation (Quakers))(41st), Catholic Institute for International Relations (41st), Franciscans International (40th), European Union of Public Relations (41st), Himalayan Research and Cultural Foundation (41st), International Educational Development, Inc. (41st), International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and other Minorities (41st), International Institute for Non-Aligned Studies (41st), International Institute for Peace (41st), International Peace Bureau (41st), International Progress Organization (41st), Latin American Federation of Associations of Relatives of Disappeared Detainees (41st), Lutheran World Federation (joint statement with World Christian Life Community)(41st), Transnational Radical Party (41st), World Federation of Trade Unions (41st).

27. Statements in exercise of the right of reply or its equivalent were made by the observers for Azerbaijan (41st), Cyprus (41st), Greece (41st) and Turkey (41st).

Enhancement of international cooperation in the field of human rights

28. At the 58th meeting, on 22 April 1998, the observer for Colombia (on behalf of the Non-Aligned Movement) and China introduced draft resolution E/CN.4/1998/L.41. Israel subsequently joined the sponsors.

29. Statements in explanation of the vote before the vote were made by the United Kingdom of Great Britain and Northern Ireland on behalf of the European Union and by Germany.

30. It was decided to postpone the consideration of the draft resolution.

31. At its 59th meeting, on 22 April 1998, the Commission resumed consideration of draft resolution E/CN.4/1998/L.41.

32. The representative of Colombia (on behalf of the Movement of Non-Aligned States and China) orally revised the second preambular paragraph and operative paragraphs 1 and 4 of the draft resolution.

33. Statements in connection with the draft resolution were made by the representatives of Canada, Colombia, Cuba, Germany and the United States of America.

34. The representative of Germany requested a vote. The representative of Cuba requested a roll-call vote to be taken on the draft resolution, as orally revised.

35. The Commission decided to postpone consideration of draft resolution E/CN.4/1998/L.41.

Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region

36. At the 52nd meeting, on 17 April 1998, the observer for the Islamic Republic of Iran introduced draft resolution E/CN.4/1998/L.42, sponsored by the Islamic Republic of Iran and the Philippines. Afghanistan, Australia, Bangladesh, China, Cyprus, India, Japan, Jordan, New Zealand, Pakistan, the Republic of Korea, Sri Lanka and Thailand subsequently joined the sponsors.

37. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/44.

United Nations Decade for Human Rights Education

38. At the 52nd meeting, on 17 April 1998, the observer for Costa Rica introduced draft resolution E/CN.4/1998/L.52, sponsored by Afghanistan,

Algeria, Andorra, Argentina, Belarus, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Cape Verde, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Georgia, Greece, Guatemala, Haiti, Hungary, Iraq, Ireland, Israel, Italy, Japan, Latvia, Mexico, Mongolia, Nicaragua, Pakistan, Paraguay, Peru, the Philippines, Poland, Portugal, Romania, the Russian Federation, Rwanda, Senegal, Slovakia, Slovenia, South Africa, Tunisia, Ukraine, Uruguay and Venezuela. Angola, Australia, Austria, Bangladesh, Canada, Democratic Republic of the Congo, the former Yugoslav Republic of Macedonia, India, Malaysia, Mali, the Netherlands, Norway, the Sudan, Thailand and Togo subsequently joined the sponsors.

39. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/45.

Composition of the staff of the Centre for Human Rights

40. At its 52nd meeting, on 17 April 1998, the representative of Cuba introduced draft resolution E/CN.4/1998/L.63, sponsored by Algeria, Cape Verde, China, Colombia, Congo, Cuba, the Democratic People's Republic of Korea, Egypt, El Salvador, Ethiopia, Guinea, Indonesia, Iran (Islamic Republic of), the Libyan Arab Jamahiriya, Mexico, Mozambique, Nigeria, Peru, Senegal, Sri Lanka, the Syrian Arab Republic, Togo, the United Republic of Tanzania, Venezuela, Viet Nam and Yemen. Angola, Ecuador, Iraq, Lebanon, Saudi Arabia, the Sudan and Uganda subsequently joined the sponsors.

41. The representative of Cuba orally revised operative paragraph 3 of the draft resolution.

42. A statement in connection with the draft resolution was made by Mr. Maryan Baquerot, Director of the Division of Administration of the United Nations Office at Geneva.

43. A statement in connection with the draft resolution was made by the representative of Cuba.

44. Statements in explanation of vote before the vote were made by the representatives of Canada (on behalf of Australia and New Zealand), the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union), and the United States of America.

45. The representative of the United States of America requested a vote. At the request of the representative of Cuba, a roll-call vote was taken on the draft resolution, as orally revised, which was adopted by 36 votes to 16, with 1 abstention. The voting was as follows:

In favour: Argentina, Bangladesh, Bhutan, Botswana, Brazil, Cape Verde, Chile, China, Congo, Cuba, Democratic Republic of the Congo, Ecuador, El Salvador, Guatemala, Guinea, India, Indonesia, Madagascar, Malaysia, Mali, Mexico, Morocco, Mozambique, Nepal, Pakistan, Peru, the Philippines, Rwanda, Senegal, South Africa, Sri Lanka, Sudan, Tunisia, Uganda, Uruguay, Venezuela.

Against: Austria, Belarus, Canada, Czech Republic, Denmark, France, Germany, Ireland, Italy, Japan, Luxembourg, Poland, Russian Federation, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Republic of Korea

46. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/46.

Human rights and terrorism

47. At the 52nd meeting, on 17 April 1998, the observer for Turkey introduced draft resolution E/CN.4/1998/L.64, sponsored by Algeria, Azerbaijan, Colombia, Cuba, Egypt, Pakistan, Peru, the Russian Federation, Sri Lanka and Turkey. Bangladesh, Georgia and India subsequently joined the sponsors.

48. Statements in connection with the draft resolution were made by the representatives of Argentina, Chile and Mexico.

49. Statements in explanation of vote before the vote were made by the representatives of Canada, Japan, the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union) and the United States of America.

50. At the request of the representative of the United States of America, a vote by show of hands was taken on the draft resolution, which was adopted by 33 votes to 0, with 20 abstentions.

51. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/47.

Human rights and arbitrary deprivation of nationality

52. At the 52nd meeting, on 17 April 1998, the representative of the Russian Federation introduced draft resolution E/CN.4/1998/L.65, sponsored by Mexico, Portugal and the Russian Federation. Belarus, Colombia and Nicaragua subsequently joined the sponsors.

53. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/48.

Human rights and mass exoduses

54. At the 52nd meeting, on 17 April 1998, the representative of Canada introduced draft resolution E/CN.4/1998/L.67, sponsored by Australia, Canada, Cyprus, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Liechtenstein, Luxembourg, Madagascar, Nepal, New Zealand, Sweden, Switzerland, and the United Kingdom of Great Britain and Northern Ireland. Austria, Ecuador, El Salvador, Greece, Italy, Japan, Norway, Tunisia and Uruguay subsequently joined the sponsors.

55. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/49.

Internally displaced persons

56. At the 52nd meeting, on 17 April 1998, the representative of Austria introduced draft resolution E/CN.4/1998/L.68, sponsored by Afghanistan, Argentina, Austria, Azerbaijan, Bosnia and Herzegovina, Botswana, Bulgaria, Chile, Colombia, Congo, Costa Rica, Cyprus, the Czech Republic, Denmark, El Salvador, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Hungary, Ireland, Italy, Latvia, Liechtenstein, Malta, Mauritius, Mozambique, Nicaragua, Norway, Peru, Poland, the Republic of Korea, Rwanda, Slovakia, Slovenia, Sweden, Switzerland and Uganda. Angola, Australia, Belgium, Canada, Ecuador, Lithuania, Luxembourg, the Netherlands, Portugal, the Russian Federation, South Africa, the United States of America, Uruguay and Zambia subsequently joined the sponsors.

57. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

58. The representative of Austria orally revised operative paragraphs 1, 2, 3, 5, 6 and 11 and deleted operative paragraph 7 of the draft resolution.

59. Statements in connection with the draft resolution were made by the representatives of Mexico and the Sudan.

60. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/50.

Integrating the human rights of women throughout the United Nations system

61. At the 52nd meeting, on 17 April 1998, the representative of Canada introduced draft resolution E/CN.4/1998/L.69, sponsored by Australia, Austria, Bangladesh, Belarus, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Denmark, El Salvador, Finland, Ireland, Italy, Japan, Latvia, Liechtenstein, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Peru, Portugal, the Republic of Korea, Romania, Spain, Sweden, Switzerland, Tunisia and the United States of America. Afghanistan, Angola, Argentina, the Dominican Republic, Ecuador, France, Germany, Greece, Guatemala, India, Lithuania, the Philippines, Poland, Slovenia, South Africa, the United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, the former Yugoslav Republic of Macedonia, and Zambia subsequently joined the sponsors.

62. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

63. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/51.

The elimination of violence against women

64. At the 52nd meeting, on 17 April 1998, the representative of Canada introduced draft resolution E/CN.4/1998/L.70, sponsored by Australia, Austria, Bangladesh, Brazil, Bulgaria, Canada, Cape Verde, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Denmark, El Salvador, Finland, Hungary, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Romania, Spain, Sweden, Switzerland and Tunisia. Afghanistan, Angola, Argentina, Belgium, the Dominican Republic, Ecuador, France, Georgia, Greece, Haiti, Iceland, the Philippines, the Republic of Korea, Slovenia, South Africa, the former Yugoslav Republic of Macedonia, Togo, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay and Venezuela subsequently joined the sponsors.

65. Statements in connection with the draft resolution were made by the representatives of Cuba and Germany.

66. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/52.

Impunity

67. At the 52nd meeting, on 17 April 1998, the representative of Canada introduced draft resolution E/CN.4/1998/L.72, sponsored by Canada, Finland, Germany, Hungary, Ireland, Italy, Liechtenstein, Portugal, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Australia, Austria, Bosnia and Herzegovina, the Czech Republic, Denmark, Ecuador, Ethiopia, France, Georgia, Guatemala, Haiti, the Netherlands, New Zealand and Norway and the former Yugoslav Republic of Macedonia subsequently joined the sponsors.

68. The representative of Canada orally revised the draft resolution by introducing a new preambular paragraph after preambular paragraph 1, and by making changes to preambular paragraphs 4, 5, 7 and operative paragraph 1.

69. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/53.

Human rights and thematic procedures

70. At the 58th meeting, on 22 April 1998, the representative of the Czech Republic introduced draft resolution E/CN.4/1998/L.73, sponsored by Austria, Bulgaria, Canada, Chile, the Czech Republic, Denmark, Finland, Germany, Hungary, Italy, Luxembourg, Netherlands, New Zealand, Norway, Peru, Poland, the Republic of Korea, Romania, Slovakia, Spain, Sweden, Switzerland and Uruguay. Argentina, Australia, Belgium, France, Greece, Ireland, Japan, Liechtenstein, Portugal, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America subsequently joined the sponsors.

71. The representative of the Czech Republic orally revised the draft resolution by introducing a new preambular paragraph after preambular paragraph 1, and by making changes to operative paragraphs 2 (b), 5 (b) and 11.

72. A statement in connection with the draft resolution was made by the representative of Cuba.

73. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/74.

Towards a culture of peace

74. At the 52nd meeting, on 17 April 1998, the representative of El Salvador introduced draft resolution E/CN.4/1998/L.74, sponsored by Algeria, Argentina, Bangladesh, Bolivia, Botswana, Brazil, Cameroon, Cape Verde, Chile, Colombia, the Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, India, Indonesia, Israel, the Libyan Arab Jamahiriya, Madagascar, Mali, Mongolia, Morocco, Mozambique, Nicaragua, Panama, Paraguay, Peru, the Philippines, Saudi Arabia, Senegal, South Africa, the Sudan, Togo, Uganda, Uruguay and Venezuela. Angola, Georgia, Malta, Nepal and Tunisia subsequently joined the sponsors.

75. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/54.

National institutions for the promotion and protection of human rights

76. At the 52nd meeting, on 17 April 1998, the observer for Australia introduced draft resolution E/CN.4/1998/L.75, sponsored by Argentina, Australia, Austria, Bangladesh, Cameroon, Canada, Cape Verde, Colombia, Croatia, Cyprus, Denmark, El Salvador, Ethiopia, France, India, Indonesia, Ireland, Italy, Latvia, Madagascar, Mexico, Mongolia, New Zealand, the Philippines, Romania, Slovakia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, the United States of America and Venezuela. Angola, Costa Rica, Georgia, Israel, Norway, Portugal, the Russian Federation, Sri Lanka and Togo subsequently joined the sponsors.

77. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/55.

Fiftieth anniversary of the Universal Declaration of Human Rights

78. At the 52nd meeting, on 17 April 1998, the representative for Poland introduced draft resolution E/CN.4/1998/L.77/Rev.1, sponsored by Austria, Brazil, Bulgaria, Canada, Cameroon, Cape Verde, Chile, Colombia, Costa Rica, the Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, Georgia, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Japan, Nepal, the Netherlands, Norway, Latvia, Liechtenstein, Luxembourg, Peru, Portugal, the Republic of Korea, Sweden, Switzerland, the former

Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, the United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Zambia and Zimbabwe. Australia, Bangladesh, Belarus, Belgium, Croatia, Cuba, Cyprus, France, Germany, India, Lithuania, Mozambique, New Zealand, Poland, Romania, the Russian Federation, Slovakia, Spain, South Africa, the Sudan and Ukraine subsequently joined the sponsors.

79. The representative for Poland orally revised the draft resolution by introducing a new preambular paragraph after preambular paragraph 5.

80. A statement in connection with the draft resolution, as orally revised, was made by the representative of Cuba. The representative of Cuba also withdrew draft resolution E/CN.4/1998/L.26.

81. Statements in explanation of vote before the vote were made by the representatives of Malaysia and the Sudan.

82. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/56.

Freedom of Movement and population transfer

83. At its 52nd meeting, on 17 April 1998, the Commission considered draft decision 7 recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. I).

84. The draft decision was adopted without a vote. For the text of the decision as adopted, see chapter II, section B, decision 1998/106.

Human rights and terrorism

85. At its 52nd meeting, on 17 April 1998, the Commission considered draft decision 9 recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. I).

86. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft decision.

87. A statement in connection with the draft decision was made by the representative of India.

88. The representative of the United States of America requested a vote. At the request of the representative of India, a roll-call vote was taken on the draft decision which was adopted by 37 votes to 0, with 16 abstentions. The voting was as follows:

In favour: Bangladesh, Belarus, Bhutan, Botswana, Brazil, Cape Verde, Chile, China, Congo, Cuba, Democratic Republic of the Congo, Ecuador, El Salvador, Guatemala, Guinea, India, Indonesia, Madagascar, Malaysia, Mali, Morocco, Mozambique, Nepal, Pakistan, Peru, the Philippines, the Republic of Korea, the Russian Federation, Rwanda, Senegal, South Africa, Sri Lanka, Sudan, Tunisia, Uganda, Uruguay, Venezuela.

Against: None.

Abstaining: Argentina, Austria, Canada, Czech Republic, Denmark, France, Germany, Ireland, Italy, Japan, Luxembourg, Mexico, Poland, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

89. For the text of the decision as adopted, see chapter II, section B, decision 1998/107.

- More to come -

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Fifty-fourth session
Agenda item 26

REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-FOURTH SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Roman KUZNIAR

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(a) QUESTION OF HUMAN RIGHTS IN CYPRUS;

(b) STUDY OF SITUATIONS WHICH APPEAR TO REVEAL A CONSISTENT PATTERN OF GROSS VIOLATIONS OF HUMAN RIGHTS AS PROVIDED FOR IN COMMISSION RESOLUTION 8 (XXIII) AND ECONOMIC AND SOCIAL COUNCIL RESOLUTIONS 1235 (XLII) AND 1503 (XLVIII): REPORT OF THE WORKING GROUP ON SITUATIONS ESTABLISHED BY ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1990/41 OF 25 MAY 1990

* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

X. QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

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1. The Commission considered agenda item 10 and sub-item (a) at its 42nd to 49th meetings, from 14 to 16 April, at its .. meeting on 21 April 1998 and at its 59th meeting, on 22 April, 1998.1/ Item 10 (b) was considered by the Commission in closed session (see paragraphs 100-102 below).

2. For the documents issued under agenda item 10, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At its 42nd meeting, on 14 April 1998, the following special rapporteurs introduced their reports:

(a) Special Rapporteur on the situation of human rights in Iraq, Mr. Max van der Stoel (E/CN.4/1998/67);

(b) Special Rapporteur on the situation of human rights in Burundi, Mr. Paulo Sérgio Pinheiro (E/CN.4/1998/72 and Add.1). At the 49th meeting, on 16 April 1998, the Special Rapporteur made his concluding remarks;

(c) Special Rapporteur on the situation of human rights in Rwanda, Mr. Michel Moussalli (E/CN.4/1998/60).

4. At the 43rd meeting, on 14 April 1998, the following special rapporteurs introduced their reports:

(a) Special Rapporteur on the situation of human rights in Afghanistan, Mr. Choong-Hyun Paik (E/CN.4/1998/71);

(b) Special Rapporteur on the situation of human rights in Equatorial Guinea, Mr. Alejandro Artucio (E/CN.4/1998/73 and Add.1).

5. At the same meeting, the Special Representative of the Commission on the situation of human rights in the Islamic Republic of Iran, Mr. Maurice Copithorne, introduced his report (E/CN.4/1998/59 and Corr.1).

6. At the 45th meeting, on 15 April 1998, the following special rapporteurs introduced their reports:

(a) Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Bacre Waly N'diaye (E/CN.4/1998/68 and Add.1 to 3);

(b) Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo, Mr. Roberto Garretón (E/CN.4/1998/65). Mr. Garretón also introduced the report of the joint investigative mission submitted to the General Assembly in June 1997 (E/CN.4/1998/64);

(c) Special Rapporteur on the situation of human rights in Cuba, Mr. Carl-Johan Groth (E/CN.4/1998/69);

(d) Special Rapporteur on the situation of human rights in Nigeria, Mr. Soli Sorabjee (E/CN.4/1998/62). At the 48th meeting, on 16 April 1998, the Special Rapporteur made his concluding remarks.

7. At the 46th meeting, on 15 April 1998, the High Commissioner for Human Rights, Ms. Mary Robinson, introduced her report on the Human Rights Field Operation in Rwanda (E/CN.4/1998/61).

8. At the 48th meeting, on 16 April 1998, the following special rapporteurs introduced their reports:

(a) Special Rapporteur on the situation of human rights in Myanmar, Mr. Rajsoomer Lallah (E/CN.4/1998/70);

(b) Special Rapporteur on the situation of human rights in the Sudan, Mr. Gáspár Bíró (E/CN.4/1998/66).

9. In the general debate on agenda item 10, statements[2]/ were made by the following members of the Commission: Argentina (46th), Belarus (46th), Canada (48th), Chile (42nd), China (46th), Congo (48th), Cuba (45th, 48th), Democratic Republic of the Congo (48th), India (48th), Indonesia (48th), Japan (43rd), Nepal (46th), Pakistan (48th), Poland (48th), Russian Federation (48th), Rwanda (42nd, 46th), Sri Lanka (46th), Sudan (48th), United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union, Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Romania, Slovakia and Slovenia) (42nd), United States of America (42nd, 45th).

10. The Commission heard statements by the observers for: Afghanistan (43rd), Algeria (48th), Armenia (47th), Australia (48th), Azerbaijan (49th), Bosnia and Herzegovina (49th), Burundi (42nd), Croatia (48th), Cyprus (47th), Democratic People's Republic of Korea (48th), Egypt (43rd), Equatorial Guinea (43rd), Greece (47th), Iran (Islamic Republic of) (43rd, 48th), Iraq (42nd, 43rd), Israel (48th), Kuwait (47th), Lebanon (47th), Myanmar (47th, 48th), New Zealand (43rd), Nicaragua (47th), Norway (47th), Portugal (48th), Saudi Arabia (47th), Singapore (43rd), Syrian Arab Republic (47th), United Republic of Tanzania (49th). The observer for Switzerland also made a statement (47th).

11. The Commission also heard statements by the following non-governmental organizations: African Commission of Health and Human Rights Promoters (43rd), Afro-Asian Peoples' Solidarity Organization (47th), Aliran Kesedaran Negara - National Consciousness Movement (44th), American Association of Jurists (45th), Amnesty International (43rd), Andean Commission of Jurists (46th), Anglican Consultative Council (47th), Arab Lawyers Union (44th), Arab Organization for Human Rights (45th), Article XIX: The International Centre against Censorship (43rd), Asian Buddhist Conference for Peace (45th), Asian Cultural Forum on Development (45th), Association for World Education (43rd), Baha'i International Community (44th), Canadian Council of Churches (44th), Catholic Institute for International Relations (44th), Centre for European Studies (47th), Centre Europe-Tiers Monde (43rd), Christian Democrat International (44th), Christian Solidarity International (46th), Commission of the Churches on International Affairs of the World Council of Churches (46th), Commission for the Defence of Human Rights in Central America (47th), Cuban Movement for Peace and the Sovereignty of Peoples (46th), European Union of Public Relations (47th), Family Planning Association of Pakistan (47th), Federation of Associations for the Defence and Promotion of Human Rights (47th), Federation of Cuban Women (45th), Felix Varela Centre (46th), France-Libertés: Fondation Danielle Mitterrand (46th), Franciscans International (43rd), General Arab Women Federation (44th), Human Rights Advocates (46th), Human Rights Watch (43rd), Indian Council of Education (46th), Indian Law Resource Centre (46th), Indian Movement "Tupaj Amaru" (46th), Inter-Parliamentary Union (44th), International Association of Democratic Lawyers (43rd), International Association for Religious

Freedom (45th), International Association against Torture (joint statement with December 12th Movement International) (46th), International Association for the Defence of Religious Liberty (47th), International Commission of Jurists (45th), International Confederation of Free Trade Unions (44th), International Educational Development (47th), International Federation of Action of Christians against Torture (45th), International Federation of Human Rights Leagues (44th), International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities (44th), International Federation of Rural Adult Catholic Movements (47th), International Federation of Women in Legal Careers (43rd), International Fellowship of Reconciliation (44th), International Human Rights Law Group (44th), International Institute for Non-Aligned Studies (46th), International Institute for Peace (46th), International League for Human Rights (44th), International League for the Rights and Liberation of Peoples (46th), International Peace Bureau (44th), International Pen (43rd), International Progress Organization (45th), International Service for Human Rights (47th), International Work Group for Indigenous Affairs (46th), Latin American Federation of Journalists (43rd), Movement against Racism and for Friendship among Peoples (46th), National Union of Jurists of Cuba (46th), North South XXI (46th), Pax Christi International (46th), Pax Romana (44th), Permanent Assembly for Human Rights (46th), Reporters without Borders - International (46th), Robert F. Kennedy Memorial (44th), Service Peace and Justice in Latin America (47th), Society for Threatened Peoples (44th), Transnational Radical Party (47th), Union of Arab Jurists (43rd), World Alliance of Reformed Churches (44th), World Confederation of Labour (47th), World Muslim Congress (47th), World Organization against Torture (43rd), World Society of Victimology (47th), Worldview International Foundation (44th).

12. Statements in exercise of the right of reply or its equivalent were made by the representatives of India (49th), Malaysia (47th), Pakistan (49th) and the Sudan (44th) and by the observers for Algeria (44th, 49th), Bahrain (44th), Belarus (44th), Costa Rica (44th), Cyprus (49th), the Democratic People's Republic of Korea (44th), Egypt (47th), Greece (49th), Iraq (44th, 47th), Jordan (47th), Kenya (47th), Kuwait (47th), Lebanon (49th), Nigeria (47th), the Syrian Arab Republic (49th) and Turkey (49th).

Situation of human rights in the Democratic Republic of the Congo

13. At the 56th meeting, on 21 April 1998, the representative of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union) introduced draft resolution E/CN.4/1998/L.78, sponsored by Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Luxembourg, Norway and the United States of America subsequently joined the sponsors.

14. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

15. A statement in connection with the draft resolution was made by the representative of the Democratic Republic of the Congo.

16. At the request of the representative of the Democratic Republic of the Congo, a roll-call vote was taken on the draft resolution, which was adopted by 28 votes to 7, with 18 abstentions. The voting was as follows:

In favour: Argentina, Austria, Belarus, Brazil, Canada, Cape Verde, Chile, Czech Republic, Denmark, Ecuador, El Salvador, France, Germany, Guatemala, Ireland, Italy, Japan, Luxembourg, Peru, Poland, Republic of Korea, Russian Federation, South Africa, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: China, Congo, Cuba, Democratic Republic of the Congo, Indonesia, Rwanda, Uganda.

Abstaining: Bangladesh, Bhutan, Botswana, India, Indonesia, Madagascar, Malaysia, Mali, Mexico, Morocco, Mozambique, Nepal, Pakistan, Philippines, Senegal, Sri Lanka, Sudan, Tunisia.

17. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/61.

Human rights situation in southern Lebanon and West Bekaa

18. At the 56th meeting, on 21 April 1998, the representative of Tunisia (on behalf of the Arab League) introduced draft resolution E/CN.4/1998/L.80, sponsored by Afghanistan, Algeria, Bahrain, Bangladesh, Cuba, the Democratic Republic of the Congo, Egypt, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia and Yemen. Pakistan subsequently joined the sponsors.

19. The eighth preambular paragraph of the draft resolution was orally revised by the representative of Tunisia.

20. The representative of the United States of America requested a vote. At the request of the representative of Tunisia, a roll-call vote was taken on the draft resolution, as orally revised, which was adopted by 52 votes to 1, with no abstentions. The voting was as follows:

In favour: Argentina, Austria, Bangladesh, Belarus, Bhutan, Botswana, Brazil, Canada, Cape Verde, Chile, China, Congo, Cuba, Czech Republic, Democratic Republic of the Congo, Denmark, Ecuador, El Salvador, France, Germany, Guatemala, Guinea, India, Indonesia, Ireland, Italy, Japan, Luxembourg, Madagascar, Malaysia, Mali, Mexico, Morocco, Mozambique, Nepal, Pakistan, Peru, Philippines, Poland, Republic of Korea, Russian Federation, Rwanda, Senegal, South Africa, Sri Lanka, Sudan, Tunisia, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against: United States of America.

Abstaining: None.

21. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/62.

Situation of human rights in Myanmar

22. At the 56th meeting, on 21 April 1998, the representative of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union) introduced draft resolution E/CN.4/1998/L.81/Rev.1, sponsored by Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, the Netherlands,

New Zealand, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Costa Rica subsequently joined the sponsors.

23. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

24. A statement in connection with the draft resolution was made by the observer for Myanmar.

25. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/63.

Situation of human rights in Nigeria

26. At the 56th meeting, on 21 April 1998, the representative of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union) introduced draft resolution E/CN.4/1998/L.83, sponsored by Argentina, Australia, Austria, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. New Zealand, Norway and the United States of America subsequently joined the sponsors.

27. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution and the proposed amendment.

28. A statement in connection with the draft resolution was made by the observer for Nigeria.

29. Statements in explanation of vote before the vote were made by the representatives of China, Guinea and Uganda.

30. At the request of the representative of Senegal, a roll-call vote was taken on the draft resolution which was adopted by 28 votes to 9, with 16 abstentions. The voting was as follows:

In favour: Argentina, Austria, Belarus, Brazil, Canada, Chile, Czech Republic, Denmark, Ecuador, El Salvador, France, Germany, Guatemala, Ireland, Italy, Japan, Luxembourg, Peru, Poland, Republic of Korea, Russian Federation, South Africa, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: China, Congo, Cuba, Guinea, Indonesia, Mali, Pakistan, Rwanda, Sudan.

Abstaining: Bangladesh, Bhutan, Botswana, Cape Verde, Democratic Republic of the Congo, India, Madagascar, Malaysia, Mexico, Morocco, Mozambique, Nepal, Philippines, Senegal, Sri Lanka, Tunisia.

31. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/64.

Situation of human rights in Iraq

32. At the 56th meeting, on 21 April 1998, the representative of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union) introduced draft resolution E/CN.4/1998/L.85, sponsored by Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Costa Rica and Slovakia subsequently joined the sponsors.

33. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution and the proposed amendment.

34. Statements in connection with the draft resolution were made by the observers for Iraq, Kuwait and the United Kingdom of Great Britain and Northern Ireland.

35. Statements in explanation of vote before the vote were made by the representatives of the Russian Federation and the Sudan.

36. The representative of the Russian Federation proposed that operative paragraphs 2(a), 3(h), 3(j), 3(k) and 3(m) of the resolution be voted on, as a group, separately from the resolution. At his request a roll-call vote was taken. The Commission decided, by 28 votes to none, with 24 abstentions, to retain these paragraphs. The voting was as follows:

In favour: Argentina, Austria, Bhutan, Botswana, Brazil, Canada, Chile, Czech Republic, Denmark, Ecuador, El Salvador, France, Germany, Guatemala, Ireland, Italy, Japan, Luxembourg, Peru, Poland, Republic of Korea, Senegal, South Africa, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against: None.

Abstaining: Bangladesh, Belarus, China, Congo, Cuba, Democratic Republic of the Congo, Guinea, India, Indonesia, Madagascar, Malaysia, Mali, Mexico, Morocco, Mozambique, Nepal, Pakistan, Philippines, Russian Federation, Rwanda, Sri Lanka, Sudan, Tunisia, Venezuela.

37. At the request of the representative of the Sudan, a roll-call vote was taken on the draft resolution which was adopted by 32 votes to none, with 21 abstentions. The voting was as follows:

In favour: Argentina, Austria, Belarus, Bhutan, Botswana, Brazil, Canada, Chile, Czech Republic, Denmark, Ecuador, El Salvador, France, Germany, Guatemala, Ireland, Italy, Japan, Luxembourg, Mexico, Peru Poland, Republic of Korea, Russian Federation, Senegal, South Africa, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: None.

Abstaining: Bangladesh, Cape Verde, China, Congo, Cuba, Democratic Republic of the Congo, Guinea, India, Indonesia, Madagascar, Malaysia, Mali, Morocco, Mozambique, Nepal, Pakistan, Philippines, Rwanda, Sri Lanka, Sudan, Tunisia.

38. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/65.

Situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)

39. At the 56th meeting, on 21 April 1998, the representative of the United States of America introduced draft resolution E/CN.4/1998/L.86 sponsored by Bulgaria, Canada, Cyprus, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, the Netherlands, Romania, Slovenia, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America. Albania, Australia, Austria, Belgium, Bosnia and Herzegovina, Germany, Ireland, the Islamic Republic of Iran, Japan, Morocco, New Zealand, Norway, Slovakia, Spain, Sweden, the former Yugoslav Republic of Macedonia subsequently joined the sponsors.

40. The representative of the United States of America orally revised the title of the draft resolution and operative paragraphs 4, 7, 9(d), 10(c), 10(g), 14(b), 14(c), 22, 24(f), 33, 37, and 40(b), and introduced a new paragraph after operative paragraph 18.

41. A statement in connection with the draft resolution was made by the observer for Bosnia and Herzegovina.

42. At the request of the representatives of France and the Russian Federation, consideration of the draft resolution was postponed.

43. At its 59th meeting, on 22 April 1998, the Commission resumed consideration of revised draft resolution E/CN.4/1998/L.86/Rev.1

44. Operative paragraph 25(g) of the draft resolution was orally revised by the representative of the United States of America.

45. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

46. A statement in connection with the draft resolution was made by the observer for Croatia.

47. Statements in explanation of vote before the vote were made by the representatives of China and the Russian Federation.

48. At the request of the representative of the Russian Federation, a roll-call vote was taken on operative paragraphs 22, 25, 29(b), 30, 33 and 35 together. The Commission decided, by 35 votes to 2, with 15 abstentions, to retain these paragraphs. The voting was as follows:

In favour: Argentina, Austria, Bangladesh, Bhutan, Botswana, Brazil, Canada, Chile, Czech Republic, Denmark, Ecuador, El Salvador, France, Germany, Ireland, Italy, Japan, Luxembourg, Malaysia, Morocco, Mozambique, Nepal, Pakistan, Peru, Philippines, Poland, Republic of Korea, Senegal, Sudan, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: Belarus, Russian Federation.

Abstaining: Cape Verde, China, Cuba, Democratic Republic of the Congo, Guatemala, Guinea, India, Indonesia, Madagascar, Mali, Mexico, Rwanda, South Africa, Sri Lanka, Tunisia.

49. At the request of the representative of the Russian Federation, a roll-call vote was taken on the draft resolution, as orally revised, which was adopted by 41 votes to none, with 12 abstentions. The voting was as follows:

In favour: Argentina, Austria, Bangladesh, Bhutan, Botswana, Brazil, Canada, Chile, Czech Republic, Denmark, Ecuador, El Salvador, France, Germany, Guatemala, Indonesia, Ireland, Italy, Japan, Luxembourg, Malaysia, Mali, Mexico, Morocco, Mozambique, Nepal, Pakistan, Peru, Philippines, Poland, Republic of Korea, Senegal, South Africa, Sudan, Tunisia, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: None.

Abstaining: Belarus, Cape Verde, China, Congo, Cuba, Democratic Republic of the Congo, Guinea, India, Madagascar, Russian Federation, Rwanda, Sri Lanka.

50. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/79.

Cooperation with representatives of United Nations human rights bodies

51. At the 56th meeting, on 21 April 1998, the observer for Hungary introduced draft resolution E/CN.4/1998/L.87, sponsored by Argentina, Austria, Brazil, Canada, Chile, Denmark, Haiti, Honduras, Hungary, Ireland, Italy, Japan, the Netherlands, Norway, Poland, Romania, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay. Australia, the Dominican Republic and El Salvador subsequently joined the sponsors.

52. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/66.

Situation of human rights in the Sudan

53. At the 56th meeting, on 21 April 1998, the representative of the United States of America introduced draft resolution E/CN.4/1998/L.88, sponsored by Australia, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Japan, Latvia, Liechtenstein, Luxembourg, Norway, Portugal, Romania, Slovakia, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Argentina, Austria, Ireland, the Netherlands, Poland, Slovakia and Sweden subsequently joined the sponsors.

54. The representative of the United States of America orally revised operative paragraphs 10 and 11, and introduced a new operative paragraph after operative paragraph 6.

55. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

56. A statement in explanation of vote before the vote was made by the representative of the Sudan.

57. At the request of the representative of the Sudan, a roll-call vote was taken on the draft resolution, as orally revised, which was adopted by 31 votes to 6, with 16 abstentions. The voting was as follows:

In favour: Argentina, Austria, Belarus, Botswana, Brazil, Canada, Cape Verde, Chile, Czech Republic, Denmark, Ecuador, El Salvador, France, Germany, Guatemala, Ireland, Italy, Japan, Luxembourg, Mexico, Peru, Poland, Republic of Korea, Russian Federation, South Africa, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: China, Cuba, India, Indonesia, Pakistan, Sudan.

Abstaining: Bangladesh, Bhutan, Congo, Democratic Republic of the Congo, Guinea, Madagascar, Malaysia, Mali, Morocco, Mozambique, Nepal, Philippines, Rwanda, Senegal, Sri Lanka, Tunisia.

58. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/67.

Situation of human rights in Cuba

59. At the 56th meeting, on 21 April 1998, the Commission considered draft resolution E/CN.4/1998/L.89.

60. The representative of the United States of America requested that consideration of the draft resolution be postponed.

61. Statements in connection with the draft resolution were made by the representatives of Argentina, Canada, China, Cuba and Mexico.

62. The Commission decided to act upon the draft resolution. The representative of the United States of America introduced draft resolution E/CN.4/1998/L.89, sponsored by Australia, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, El Salvador, Finland, Germany, Hungary, Iceland, Israel, the Netherlands, Nicaragua, Norway, Romania, San Marino, Slovenia, Sweden, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Albania, Japan, Lithuania, Poland, Portugal and Switzerland subsequently joined the sponsors.

63. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

64. Statements in explanation of vote before the vote were made by the representatives of Chile, China, Cuba and Uruguay.

65. At the request of the representative of Cuba, a roll-call vote was taken on the draft resolution, which was rejected by 19 votes to 16, with 18 abstentions. The voting was as follows:

In favour: Argentina, Austria, Canada, Czech Republic, Denmark, El Salvador, France, Germany, Ireland, Italy, Japan, Luxembourg, Poland, Republic of Korea, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Belarus, Bhutan, Cape Verde, China, Congo, Cuba, Democratic Republic of the Congo, Guinea, India, Indonesia, Malaysia, Mali, Mozambique, Pakistan, Russian Federation, Rwanda, South Africa, Sudan, Uganda.

Abstaining: Bangladesh, Botswana, Brazil, Chile, Ecuador, Guatemala, Madagascar, Mexico, Morocco, Nepal, Peru, Philippines, Senegal, Sri Lanka, Tunisia, Ukraine, Uruguay, Venezuela.

Extrajudicial, summary or arbitrary executions

66. At the 57th meeting, on 21 April 1998, the observer for Sweden introduced draft resolution E/CN.4/1998/L.90, sponsored by Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Cyprus, the Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Nepal, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, San Marino, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Uganda, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela. Cape Verde, the Dominican Republic, Georgia, Guinea and Ukraine subsequently joined the sponsors.

67. The representative of Sweden orally revised operative paragraphs 6, 17 and 22 of the draft resolution.

68. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

69. A statement in explanation of vote before the vote was made by the representative of the United States of America.

70. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/68.

The question of human rights in Afghanistan

71. At the 57th meeting, on 21 April 1998, the Commission considered draft resolution E/CN.4/1998/L.91.

72. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

73. The representative of Italy orally revised operative paragraph 3 of the draft resolution.

74. Statements in connection with the draft resolution were made by the representatives of Italy and Pakistan.

75. The Commission decided to adopt draft resolution E/CN.4/1998/L.91, as orally revised, without a vote, as a resolution proposed by the Chairman. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/70.

Situation of human rights in the Islamic Republic of Iran

76. At the 57th meeting, on 21 April 1998, the representative of the United Kingdom of Great Britain and Northern Ireland introduced draft resolution E/CN.4/1998/L.100, sponsored by Australia, Austria, Belgium, Bulgaria, Canada, Costa Rica, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. San Marino subsequently joined the sponsors.

77. Statements in connection with the draft resolution were made by the representatives of Mexico, Morocco, Pakistan and the United Kingdom of Great Britain and Northern Ireland.

78. The representative of Pakistan introduced proposed amendments to draft resolution E/CN.4/1998/100 (E/CN.4/1998/105).

79. In accordance with rule 52 of the rules of procedure of the functional commissions of the Economic and Social Council, the Commission decided to postpone consideration of draft resolution E/CN.4/1998/L.100.

80. At its 58th meetings, on 22 April 1998, the Commission resumed consideration of draft resolution E/CN.4/1998/L.100 and the proposed amendments thereto (E/CN.4/1998/L.105).

81. A statement in connection with the draft resolution and the proposed amendments thereto was made by the representative of Pakistan.

82. At the request of the representative of the United Kingdom of Great Britain and Northern Ireland, consideration of the draft resolution and the proposed amendments thereto was postponed.

83. At its 59th meeting, on 22 April 1998, the Commission resumed consideration of draft resolution E/CN.4/1998/L.100 and the proposed amendments thereto (E/CN.4/1998/L.105).

84. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

85. Statements in connection with the draft resolution were made by the representatives of Bangladesh, China, Germany, Indonesia, Pakistan, the Russian Federation, the Sudan and the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union) and by the observer for the Islamic Republic of Iran.

86. The representative of Pakistan withdrew the proposed amendments to draft resolution E/CN.4/1998/L.100. At his request, a roll-call vote was taken on the draft resolution, which was adopted by 23 votes to 14, with 16 abstentions. The voting was as follows:

In favour: Argentina, Austria, Botswana, Brazil, Canada, Chile, Czech Republic, Denmark, Ecuador, El Salvador, France, Germany, Guatemala, Ireland, Italy, Japan, Luxembourg, Peru, Poland, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Against: Bangladesh, Bhutan, China, Congo, Cuba, Guinea, India, Indonesia, Malaysia, Mali, Morocco, Pakistan, Philippines, Sudan.

Abstaining: Belarus, Cape Verde, Democratic Republic of the Congo, Madagascar, Mexico, Mozambique, Nepal, Republic of Korea, Rwanda, Senegal, South Africa, Sri Lanka, Tunisia, Uganda, Ukraine, Uruguay.

87. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/80.

Situation of human rights in Rwanda

88. At the 57th meeting, on 21 April 1998, the representative of Senegal (on behalf of the African Group) introduced draft resolution E/CN.4/1998/L.101, sponsored by Senegal (on behalf of the African Group). Australia, Canada, New Zealand, Switzerland and the United States of America subsequently joined the sponsors.

89. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

90. A statement in connection with the draft resolution was made by the representative of Canada.

91. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/69.

Situation of human rights in Equatorial Guinea and assistance in the field of human rights

92. At the 57th meeting, on 21 April 1998, the representative of Senegal (on behalf of the African Group) introduced draft resolution E/CN.4/1998/L.104, sponsored by Senegal (on behalf of the African Group). The United States of America subsequently joined the sponsors.

93. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

94. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/71.

(a) Question of human rights in Cyprus

95. At the 57th meeting, on 21 April 1998, the Chairman submitted a draft decision on the question of human rights in Cyprus. The draft decision was adopted without a vote. For the text of the decision as adopted, see chapter II, section B, decision 1998/109.

(b) Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided for in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group on Situations established by Economic and Social Council resolution 1990/41 of 25 May 1990

96. The Commission considered agenda item 10 (b) in closed session at its 36th and 37th meetings, on 8 April 1998. It had before it for consideration under Economic and Social Council resolution 1503 (XLVIII) the human rights situations in Chad, the Gambia, Japan, Kyrgyzstan, Paraguay, Peru, Saudi Arabia, Sierra Leone and Yemen, as publicly announced by the Chairman. The Chairman also announced that the Commission had decided to discontinue consideration of the human rights situations in Japan, Kyrgyzstan, Paraguay, Peru, Saudi Arabia and Yemen.

97. The Chairman reminded the members of the Commission that, in conformity with paragraph 8 of Economic and Social Council resolution 1503 (XLVIII), they should not make any reference in public debate to the confidential decisions taken under that resolution or to any confidential material relating thereto.

98. In accordance with rule 21 of the rules of procedure of the functional commissions of the Economic and Social Council, and after consultations with the regional groups, the Chairman would designate five members of the Commission to serve in their personal capacity on the Working Group on Situations to meet prior to the fifty-fifth session of the Commission in 1999.

- More to come -

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DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Roman KUZNIAR

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XI. MEASURES TO IMPROVE THE SITUATION AND ENSURE THE HUMAN RIGHTS AND DIGNITY OF ALL MIGRANT WORKERS

* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-12088 (E)

XI. MEASURES TO IMPROVE THE SITUATION AND ENSURE THE HUMAN RIGHTS AND DIGNITY OF ALL MIGRANT WORKERS

1. The Commission considered agenda item 11 concurrently with items 16 and 18 (see chapters XVI and XVIII) at its 21st to 24th meetings, from 27 March to 31 March, and at its 38th meeting, on 9 April 1998. 1/

2. For the documents issued under agenda item 11, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 22nd meeting, on 30 March 1998, the Chairman-Rapporteur of the Working Group of Intergovernmental Experts on the Human Rights of Migrants, Mr. Jorge A. Bustamante, introduced the report of the working group on its first and second sessions (E/CN.4/1998/76).

4. In the general debate on agenda item 11, statements 2/ were made by the following members of the Commission: Bangladesh (22nd), Cape Verde (21st), Czech Republic (22nd), Ecuador (22nd), El Salvador (24th), Guatemala (24th), Mexico (22nd), Morocco (23rd), Pakistan (24th), Philippines (23rd), Republic of Korea (22nd), Ukraine (23rd).

5. The Commission heard statements by the observers for: Costa Rica (21st), Egypt (22nd), Ethiopia (23rd), Turkey (22nd).

6. Statements were also made by the observers for the International Labour Organization (22nd) and the International Organization for Migration (24th).

7. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (24th), Centre Europe-Tiers Monde (21st), Commission of the Churches on International Affairs of the Human Rights Advocates (21st), International Indian Treaty Council (21st), Movement against Racism and for Friendship among Peoples (23rd), Women's International League for Peace and Freedom (23rd), Commission of the Churches on International Affairs of the World Council of Churches (on behalf of Conference of European Churches, Lutheran World Federation, World Alliance of Reformed Churches)(21st).

8. At its 38th meeting, on 9 April 1998, the Commission took up consideration of the draft resolutions submitted under agenda item 11.

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

9. At the 38th meeting, on 9 April 1998, the representative of Mexico introduced draft resolution E/CN.4/1998/L.27, sponsored by Argentina, Chile,

Ecuador, El Salvador, Ethiopia, Guatemala, Honduras, Mexico, Morocco, Nicaragua, Peru, Philippines, Sri Lanka, Tunisia and Turkey. Bangladesh, Cape Verde and Portugal subsequently joined the sponsors.

10. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/15.

Migrants and human rights

11. At the 38th meeting, on 9 April 1998, the representative of Mexico introduced draft resolution E/CN.4/1998/L.28, sponsored by Algeria, Angola, Argentina, Bangladesh, Bolivia, Brazil, Cameroon, Cape Verde, Chile, Colombia, Costa Rica, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Guinea, Haiti, Honduras, India, Indonesia, Ireland, Italy, Jamaica, Mexico, Morocco, Mozambique, Nicaragua, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Senegal, Sri Lanka, Trinidad and Tobago, Tunisia, Turkey and Uganda. Ghana, Pakistan, Senegal and Uruguay subsequently joined the sponsors.

12. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

13. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/16.

Violence against women migrant workers

14. At the 38th meeting, on 9 April 1998, the representative of the Philippines introduced draft resolution E/CN.4/1998/L.30, sponsored by Bangladesh, Belgium, Cape Verde, Chile, Côte d'Ivoire, El Salvador, Indonesia, Iraq, Ireland, Madagascar, Mexico, Morocco, Nepal, Nicaragua, Pakistan, Peru, Philippines, Portugal, South Africa and Sri Lanka. Argentina and Ecuador subsequently joined the sponsors.

15. Operative paragraph 2 of the draft resolution was orally revised by the representative of the Philippines.

16. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/17.

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DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Roman KUZNIAR

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XII. RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-12495 (E)

XII. RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

1. The Commission considered agenda item 12 at its 10th to 12th meetings, on 20 and 23 March, and at its 51st meeting, on 17 April, and at its 56th meeting, on 21 April 1998. 1/

2. For the documents issued under agenda item 12, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 11th meeting, on 23 March 1998, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Maurice Glélé-Ahanhanzo, introduced his report (E/CN.4/1998/79). At the 12th meeting, also on 23 March 1998, the Special Rapporteur made his concluding remarks.

4. A statement was made by Mr. Ivan Garvalov, member of the Committee on the Elimination of Racial Discrimination (10th).

5. In the general debate on agenda item 12, statements 2/ were made by the following members of the Commission: Argentina (11th), Bangladesh (11th), Brazil (10th), China (10th), Cuba (11th), Czech Republic (11th), Guatemala (11th), Madagascar (11th), Pakistan (11th), Philippines (11th), Russian Federation (11th), Senegal (11th), Sudan (11th), United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union, Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia) (10th), United States of America (12th).

6. The Commission heard statements by the observers for: Egypt (10th), Iran (Islamic Republic of) (12th), Israel (12th), Libyan Arab Jamahiriya (12th), Turkey (12th).

7. A statement was also made by the observer for the Order of Malta (10th).

8. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (12th), African Commission of Health and Human Rights Promoters (11th), All India Women's Conference (joint statement with Movement against Racism and for Friendship among Peoples, Women's International League for Peace and Freedom, World Federation of Democratic Youth, World Peace Council) (12th), American Association of Jurists (12th), Association for World Education (11th), December Twelfth Movement (12th), European Union of Public Relations (12th),

International Association against Torture (12th), International Council of Jewish Women (11th), International Educational Development (12th), International Institute for Non-Aligned Studies (11th), International Movement against All Forms of Discrimination and Racism (11th), International Progress Organization (12th), Movement against Racism and for Friendship among Peoples (12th), Transnational Radical Party (11th), Women's International League for Peace and Freedom (11th), World Federation of Democratic Youth (11th), World Federation for Mental Health (12th), World Jewish Congress (11th).

9. A statement in exercise of the right of reply was made by the Observer for Mauritania (12th).

Racism, racial discrimination, xenophobia and related intolerance

10. At its 51st meeting, on 17 April 1998, the representative of Senegal (on behalf of the African Group) introduced draft resolution E/CN.4/1998/L.37, sponsored by China, Cuba, Mexico and Senegal (on behalf of the African Group). Bangladesh, Brazil, Chile, El Salvador, France, Germany, Greece, India, Iraq, Israel, Italy and Uruguay subsequently joined the sponsors.

11. Operative paragraph 50 of the draft resolution was orally revised by the representative of Senegal.

12. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution. In that regard, a statement of the estimated administrative and programme budget implications of draft resolution E/CN.4/1998/L.37 was issued in document E/CN.4/1998/L.98.

13. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/26.

Recognition of slavery and the slave trade as a crime against humanity

14. At its 56th meeting, on 21 April 1998, the Commission decided to postpone consideration of draft resolution E/CN.4/1998/L.36/Rev.1, sponsored by Cuba, Israel and Senegal (on behalf of the African Group), to maintain contact and to continue consultations in order to reach a consensus.

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Rapporteur: Mr. Roman KUZNIAR

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XIII. STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

XIII. STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

1. The Commission considered agenda item 13 concurrently with item 14 (see chap. XIV) at its 12th and 13th meetings, on 23 and 24 March, and at its 31st meeting, on 3 April 1998. 1/

2. For the documents issued under agenda item 13, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. In the general debate on agenda item 13, statements 2/ were made by the following members of the Commission: Argentina (13th), Brazil (13th), China (13th), India (13th), Ireland (12th), Italy (12th), Republic of Korea (13th), Russian Federation (13th), Uruguay (13th).

4. The Commission heard statements by the observers for: Armenia (13th), Estonia (12th), Norway (12th), Romania (13th), Singapore (13th), Swaziland (13th). The observer for Switzerland also made a statement (13th).

5. The Commission also heard statements by the following non-governmental organizations: African Commission of Health and Human Rights Promoters (13th), American Association of Jurists (12th), Amnesty International (12th), Asian Cultural Forum on Development (12th), Himalayan Research and Cultural Foundation (13th), Human Rights Advocates (13th), International League for the Rights and Liberation of Peoples (12th), Transnational Radical Party (12th), World Muslim Congress (13th).

Question of the death penalty

6. At the 31st meeting, on 3 April 1998, the representative of Italy introduced draft resolution E/CN.4/1998/L.12, sponsored by Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, Estonia, Finland, the former Yugoslav Republic of Macedonia, France, Georgia, Germany, Greece, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mexico, the Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Poland, Portugal, the Republic of Moldova, Romania, the Russian Federation, San Marino, Slovakia,

Slovenia, South Africa, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela. Andorra, Angola, Canada and Israel subsequently joined the sponsors.

7. A statement in connection with the draft resolution was made by the representative of China.

8. Statements in explanation of vote before the vote were made by the representatives of Bhutan, Madagascar, Pakistan, the Philippines, Tunisia and the United States of America.

9. The representative of the United States of America requested a vote. At the request of the representative of Italy, a roll-call vote was taken on draft resolution E/CN.4/1998/L.12, which was adopted by 26 votes to 13, with 12 abstentions. The voting was as follows:

In favour: Argentina, Austria, Belarus, Brazil, Canada, Cape Verde, Chile, Congo, Czech Republic, Denmark, Ecuador, France, Germany, Ireland, Italy, Luxembourg, Mexico, Nepal, Peru, Poland, Russian Federation, South Africa, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against: Bangladesh, Bhutan, Botswana, China, Democratic Republic of the Congo, Indonesia, Japan, Malaysia, Pakistan, Republic of Korea, Rwanda, Sudan, United States of America.

Abstaining: Cuba, El Salvador, Guatemala, Guinea, India, Madagascar, Morocco, Philippines, Senegal, Sri Lanka, Tunisia, Uganda.

10. A statement in explanation of vote after the vote was made by the representative of Bangladesh.

11. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/8.

Status of the International Covenants on Human Rights

12. At the 31st meeting, on 3 April 1998, the observer for Norway introduced draft decision E/CN.4/1998/L.13, sponsored by Argentina, Australia, Austria, Belarus, Canada, Chile, Croatia, the Czech Republic, Denmark, El Salvador, Finland, Germany, Hungary, Iceland, Ireland, Italy, New Zealand, Nicaragua, Norway, Poland, the Republic of Korea, Senegal, Slovakia,

South Africa, Sweden, Switzerland and Venezuela. Bulgaria, the Democratic Republic of the Congo, Ecuador, France, Guatemala, Madagascar, the Netherlands, Portugal, Romania, the Russian Federation, Spain, Ukraine and Uruguay subsequently joined the sponsors.

13. Paragraph 11 of the draft resolution was orally revised by the observer for Norway by inserting the numbers of the relevant general comments.

14. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/9.

Fiftieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide

15. At the 31st meeting, on 3 April 1998, the observer for Armenia introduced draft resolution E/CN.4/1998/L.14, sponsored by Armenia, Australia, Austria, Belarus, Croatia, Cyprus, the Czech Republic, France, Germany, Greece, India, Ireland, Italy, Latvia, Luxembourg, Mexico, Nepal, Poland, Romania, the Russian Federation, Rwanda, Slovenia, Slovakia, Spain, Uganda and the United States of America. Albania, Angola, Bangladesh, Belgium, Brazil, Bulgaria, Canada, Cuba, El Salvador, Israel, Malaysia, the Netherlands, New Zealand and Portugal subsequently joined the sponsors.

16. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/10.

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DRAFT REPORT OF THE COMMISSION

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* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-12402 (E)

XIV. EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO UNITED NATIONS HUMAN RIGHTS INSTRUMENTS

1. The Commission considered agenda item 14 concurrently with item 13 (see chap. XIII) at its 12th and 13th meetings, on 23 and 24 March, at its 15th meeting, on 25 March, at its 31st meeting, on 3 April 1998, and at its 51st meeting, on 17 April 1998. 1/

2. For the documents issued under agenda item 14, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 15th meeting, on 25 March 1998, a statement was made by Mr. Philip Alston, Chairman of the eighth and ninth meetings of the Chairpersons of the human rights treaty bodies.

4. In the general debate on agenda item 14, statements 2/ were made by the following members of the Commission: Austria (13th), Brazil (13th), China (13h), Cuba (13th), India (13th), Poland (13th), Republic of Korea (13th), Russian Federation (13th).

5. The Commission heard statements by the observers for: Australia (on behalf of Canada and New Zealand) (13th), Norway (12th), Romania (13th).

6. The Commission also heard statements by the following non-governmental organizations: African Commission of Health and Human Rights Promoters (13th), Asian Cultural Forum on Development (12th), Association for World Education (on behalf of African Association of Education for Development, Associated Country Women of the World, Association of World Citizens, Christian Solidarity International, Coalition against Trafficking in Women, Coordinating Board of Jewish Organizations, Education International, General Conference of Seventh Day Adventists, International Alliance of Women-Equal Rights, Equal Responsibilities, International Association for the Defence of Religious Liberty, International Association of Democratic Lawyers, International Council of Jewish Women, International Council of Women, International Federation of Resistance Movements, International Federation of University Women, International Movement Against All Forms of Discrimination and Racism, International Movement for Fraternal Union among Races and Peoples, International Organization for the Elimination of All Forms of Racial Discrimination, International Service for Human Rights, Lutheran World Federation, Movement against Racism and for Friendship among

Peoples, Pan Pacific and Southeast Asia Women's Association, Socialist International Women, Soroptimist International, Women's International League for Peace and Freedom, World Alliance of Young Men's Christian Associations, World Association of Girl Guides and Girl Scouts, World Federation for Mental Health, World Federation of Methodist and Uniting Church Women, World Federation of Trade Unions, World Jewish Congress, World Union for Progressive Judaism, World Vision International, World Young Women's Christian Association, Zonta International) (12th), European Union of Public Relations (13th), World Jewish Congress (13th), World Muslim Congress (13th).

Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

7. At the 31st meeting, on 3 April 1998, the representative of Canada introduced draft decision E/CN.4/1998/L.15, sponsored by Australia, Austria, Canada, Finland, New Zealand, Norway, Romania and Spain. Andorra, Angola, Argentina, Chile, Denmark, El Salvador, France, Germany, Hungary, Ireland, Italy, Japan, Liechtenstein, the Netherlands, Poland, Portugal, the Republic of Korea, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, Ukraine and Uruguay subsequently joined the sponsors.

8. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

9. At the request of the representatives of Canada and Cuba, consideration of the draft resolution was postponed.

10. At its 51st meeting, on 17 April 1998, the Commission resumed consideration of draft resolution E/CN.4/1998/L.15.

11. Operative paragraph 14 of the draft resolution was orally revised by the representative of Canada.

12. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/27.

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XV. REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-NINTH SESSION

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* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-12501 (E)

XV. REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-NINTH SESSION

1. The Commission considered agenda item 15 at its 24th to 26th meetings, from 31 March to 1 April, at its 51st meeting, on 17 April, and at its 56th meeting, on 21 April 1998. 1/

2. For the documents issued under agenda item 15, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 24th meeting, on 31 March 1998, the Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-ninth session, Mr. José Bengoa, introduced his report (E/CN.4/1998/88). At the 26th meeting, on 1 April 1998, the Chairman of the Sub-Commission made his concluding remarks.

4. At the 25th and 26th meetings, on 31 March and 1 April 1998, respectively, the Special Rapporteur on disability of the Commission for Social Development, Mr. Bengt Lindqvist, made statements to the Commission.

5. In the general debate on agenda item 15, statements 2/ were made by the following members of the Commission: Brazil (26th), China (26th), Congo (26th), Denmark (25th), Guatemala (26th), India (25th), Ireland (25th), Pakistan (26th), Philippines (26th), Poland (25th), South Africa (25th), Ukraine (26th).

6. The Commission heard statements by the observers for: Libyan Arab Jamahiriya (25th), Norway (on behalf of the Nordic countries) (26th), Sweden (25th). The observer for Switzerland also made a statement (26th).

7. Statements were also made by the observers for the International Committee of the Red Cross (26th) and the World Health Organization (26th).

8. The Commission also heard statements by the following non-governmental organizations: African Commission of Health and Human Rights Promoters (25th), American Association of Jurists (25th), Association for Religious Freedom (25th), Coalition against Trafficking in Women (25th), European Union of Public Relations (26th), Inclusion International (26th), International Indian Treaty Council (26th), International Movement against All Forms of Discrimination and Racism (25th), Latin American Federation of

Associations of Relatives of Disappeared Detainees (26th), North South XXI (25th), World Blind Union (26th), World Federation for Mental Health (26th), World Movement of Mothers (25th), World Muslim Congress (26th).

Work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

9. At the 51st meeting, on 17 April 1998, the representative of Germany introduced draft resolution E/CN.4/1998/L.45, sponsored by Bulgaria, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, the Netherlands, New Zealand, Norway, Peru, Portugal, Slovenia, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Angola, Argentina, Australia, Austria, Belarus, Belgium, Brazil, Canada, Cape Verde, Cyprus, the Dominican Republic, El Salvador, Estonia, India, Romania, the Russian Federation, Slovakia, the former Yugoslav Republic of Macedonia, Ukraine, and Uruguay subsequently joined the sponsors.

10. The draft resolution was adopted without a vote.

11. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/28.

12. The representative of Uruguay made a statement in connection with the resolution after its adoption.

13. In view of the adoption of resolution 1998/28, the Commission took no action on the draft resolution recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. I).

Human rights and scientific and technological development

14. At the 51st meeting, on 17 April 1998, the observer for the Netherlands introduced draft decision E/CN.4/1998/L.46, sponsored by Denmark, Germany and the Netherlands. Canada, Japan and Portugal subsequently joined the sponsors.

15. The draft decision was adopted without a vote. For the text of the decision as adopted, see chapter II, section A, decision 1998/... .

16. In view of the adoption of decision 1998/..., the Commission took no action on draft decision 10 recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. I).

Question of human rights and states of emergency

17. At the 51st meeting, on 17 April 1998, the observer for the Netherlands introduced draft decision E/CN.4/1998/L.47, sponsored by Denmark, Germany and the Netherlands. Canada, Poland, Portugal and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

18. A statement in connection with the draft decision was made by the representative of India.

19. At the request of the representative of India and the observer for the Netherlands, consideration of the draft decision was postponed.

20. At its 56th meeting, on 21 April 1998, the Commission resumed consideration of draft decision E/CN.4/1998/L.47.

21. The operative part of the draft decision was orally revised by the observer for the Netherlands.

22. The draft decision, as orally revised, was adopted without a vote. For the text of the decision as adopted, see chapter II, section B, decision 1998/... .

23. In view of the adoption of decision 1998/..., the Commission took no action on draft decision 6 recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. I).

Study concerning the right to freedom of movement

24. At the 51st meeting, on 17 April 1998, the observer for the Netherlands introduced draft decision E/CN.4/1998/L.48, sponsored by Denmark, Germany and the Netherlands. Canada, Japan and Portugal subsequently joined the sponsors.

25. Operative paragraph 2 of the draft decision was orally revised by the observer for the Netherlands.

26. The draft decision, as orally revised, was adopted without a vote. For the text of the decision as adopted, see chapter II, section B, decision 1998/... .

27. In view of the adoption of decision 1998/..., the Commission took no action on draft decision 8 (Item 9) recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. I).

Minimum humanitarian standards

28. At the 51st meeting, on 17 April 1998, the observer for Norway introduced draft resolution E/CN.4/1998/L.50, sponsored by Argentina,

Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, the Czech Republic, Denmark, the Dominican Republic, El Salvador, Estonia, Finland, Germany, Guatemala, Hungary, Iceland, Ireland, Italy, Liechtenstein, Madagascar, Mexico, Nicaragua, Norway, Poland, Portugal, Romania, Senegal, Slovakia, Slovenia, South Africa, Sweden, Switzerland, Ukraine and Uruguay. Austria subsequently joined the sponsors.

29. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/29.

Traffic in women and girls

30. At the 51st meeting, on 17 April 1998, the representative of the Philippines introduced draft resolution E/CN.4/1998/L.57, sponsored by Argentina, Belgium, Bhutan, Chile, Colombia, Cyprus, the Czech Republic, Denmark, Egypt, El Salvador, Finland, France, Germany, Indonesia, Iraq, Ireland, Italy, Malaysia, Mexico, Morocco, Myanmar, Nicaragua, Norway, Pakistan, Peru, the Philippines, Portugal, the Republic of Korea, South Africa, Sri Lanka, Sweden, Togo and Uruguay. Angola, Bangladesh, Costa Rica, the Dominican Republic, Guatemala, Greece, Nepal, Nigeria, Spain, Thailand and the former Yugoslav Republic of Macedonia subsequently joined the sponsors.

31. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/30.

Human rights of persons with disabilities

32. At the 51st meeting, on 17 April 1998, the representative of Ireland introduced draft resolution E/CN.4/1998/L.59, sponsored by Afghanistan, Argentina, Austria, Botswana, Burundi, Cameroon, Canada, Chile, Colombia, Congo, Croatia, the Czech Republic, Denmark, El Salvador, Finland, Greece, Guatemala, Guinea, Hungary, Iceland, Ireland, Israel, Italy, Japan, the Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mexico, Morocco, Nepal, Peru, the Philippines, Portugal, Romania, Rwanda, Senegal, South Africa, Spain, Sweden, Uganda, Uruguay and Venezuela. Algeria, Angola, Australia, Belgium, the Dominican Republic, Ecuador, Germany, Greece, Malta, the Netherlands, Norway, Poland, Sudan, Togo and Tunisia subsequently joined the sponsors.

33. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/31.

Privatization of prisons

34. At the 51st meeting, on 17 April 1998, the representative of the United States of America introduced draft resolution E/CN.4/1998/L.79, sponsored by the Netherlands and the United States of America. Japan subsequently joined the sponsors.

35. The draft resolution was proposed as a replacement for draft decision 5 recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. I).

36. Statements in connection with the draft resolution were made by the representatives of Cuba and the United States of America.

37. The draft resolution was adopted without a vote.

38. The representative of the United States of America made a statement in connection with the resolution after its adoption.

39. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/32.

40. In view of the adoption of resolution 1998/32, the Commission took no action on draft resolution 5 (item 8) recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. I).

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REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-FOURTH SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Roman KUZNIAR

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XVI. RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES

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* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-12094 (E)

XVI. RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES

1. The Commission considered agenda item 16 concurrently with items 11 and 18 (see chaps. XI and XVIII) at its 21st to 24th meetings, from 27 March to 31 March, and at its 38th to 40th meetings, on 9 April 1998. 1/

2. For the documents issued under agenda item 16, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. In the general debate on agenda item 16, statements 2/ were made by the following members of the Commission: Austria (24th), Bangladesh (24th), China (24th), India (22nd), Pakistan (24th), Poland (22nd), Republic of Korea (22nd), Russian Federation (22nd), Sri Lanka (22nd), Sudan (24th), Ukraine (23rd).

4. The Commission heard statements by the observers for: Cameroon (24th), Ethiopia (23rd), Finland (22nd), Hungary (22nd), Iran (Islamic Republic of) (24th), Latvia (24th), Lithuania (24th), Norway (22nd), Romania (23rd), Slovakia (23rd). The observer for Switzerland also made a statement (22nd).

5. The Commission also heard statements by the following non-governmental organizations: Asian Buddhist Conference for Peace (23rd), African Association of Education for Development (24th), Afro-Asian Peoples' Solidarity Organization (24th), Aliran Kesedaran Negara-National Consciousness Movement (21st), American Association of Jurists (21st), European Union of Public Relations (23rd), Franciscans International (23rd), Fraternité Notre-Dame (22nd), Himalayan Research and Cultural Foundation (22nd), International Educational Development (21st), International Federation of Free Journalists (24th), International Human Rights Association of American Minorities (joint statement with World Society of Victimology) (24th), International Institute for Non-Aligned Studies (23rd), International Peace Bureau (23rd), International Progress Organization (24th), Latin American Federation of Associations of Relatives of Disappeared Detainees (24th), Minority Rights Group (22nd), Pax Romana (21st), Society for Threatened Peoples (23rd), Transnational Radical Party (23rd), World Muslim Congress (24th).

6. Statements in exercise of the right of reply or its equivalent were made by the representative of Pakistan (24th) and the observer for the former Yugoslav Republic of Macedonia (24th).

Situation of human rights in Latvia

7. At the 38th meeting, on 9 April 1998, the representative of the Russian Federation withdrew draft resolution E/CN.4/1998/L.32.

8. At the 40th meeting, a statement in connection with the draft resolution was made by the representative of Poland.

Rights of persons belonging to national or ethnic, religious and linguistic minorities

9. At the 38th meeting, on 9 April 1998, the representative of Austria introduced draft resolution E/CN.4/1998/L.33, sponsored by Argentina, Australia, Austria, Bosnia and Herzegovina, Chile, Croatia, the Czech Republic, Denmark, Estonia, Ethiopia, Finland, Guatemala, Hungary, Iceland, India, Ireland, Italy, Liechtenstein, Lithuania, Norway, Peru, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Slovakia, Slovenia, Switzerland, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Afghanistan, Andorra, Belarus, Brazil, Bulgaria, Canada, Cape Verde, Costa Rica, Ecuador, Madagascar, the Netherlands, Sweden and Uruguay subsequently joined the sponsors.

10. Operative paragraphs 3, 4 and 5 of the draft resolution were orally revised by the representative of Austria.

11. A statement in connection with the draft resolution was made by the representative of Bangladesh.

12. At the request of the representatives of Austria and Bangladesh, consideration of the draft resolution was postponed.

13. At its 39th meeting, on 9 April 1998, the Commission resumed consideration of draft resolution E/CN.4/1998/L.33.

14. Statements in connection with the draft resolution were made by the representatives of Austria and Bangladesh.

15. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implication 1/ of the draft resolution.

16. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/19.

17. In view of the adoption of resolution 1998/19, the Commission took no action on draft decision 4 recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. I).

Tolerance and pluralism as indivisible elements in the promotion and protection of human rights

18. At the 38th meeting, on 9 April, the Commission decided to postpone consideration of draft resolution E/CN.4/1998/L.25.

19. At the 39th meeting, on 9 April, the representative of India introduced draft resolution E/CN.4/1998/L.25, sponsored by Afghanistan, Argentina, Australia, Austria, Bangladesh, Belarus, Bhutan, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Croatia, Cyprus, the Czech Republic, Denmark, El Salvador, Finland, France, Germany, Greece, Guatemala, India, Ireland, Italy, Japan, Mexico, the Netherlands, Norway, Peru, Poland, Portugal, Romania, the Russian Federation, South Africa, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Algeria, Armenia, Belgium, Costa Rica, Congo, Ethiopia, Indonesia, Mauritius, Malaysia, Nepal, the Republic of Korea, Slovenia, Sri Lanka and Ukraine subsequently joined the sponsors.

20. At the same meeting, the representative of Pakistan introduced proposed amendments to draft resolution E/CN.4/1998/L.25 (E/CN.4/1998/L.38).

21. A statement in connection with the proposed amendments (E/CN.4/1998/L.38) was made by the representative of the United Kingdom of Great Britain and Northern Ireland.

22. At the request of the representatives of Brazil, Malaysia and Mexico, consideration of the draft resolution was postponed.

23. At the 40th meeting, on 9 April 1998, the Commission resumed consideration of draft resolution E/CN.4/1998/L.25 and the proposed amendments thereto (E/CN.4/1998/L.38).

24. The first and fourth preambular paragraphs and operative paragraph 2 (b) of the draft resolution were orally revised by the representative of India.

25. Following the revisions made by the representative of India, the proposed amendments (E/CN.4/1998/L.38) were withdrawn by the representative of Pakistan.

26. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/21.

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Rapporteur: Mr. Roman KUZNIAR

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XVII. ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-12429 (E)

XVII. ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

1. The Commission considered agenda item 17 concurrently with item 9 (see chap. IX) at its 32nd to 34th meetings, on 6 April, at its 35th meeting, on 8 April, at its 39th to 41st meetings, on 9 April, at its 43rd and 44th meetings, on 14 April, and at its 52nd meeting, on 17 April 1998. 1/

2. For the documents issued under agenda item 17, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 32nd meeting, on 6 April 1998, statements were made by:

(a) Mr. Adama Dieng, independent expert on the situation of human rights in Haiti, in introduction of his report (E/CN.4/1998/97);

(b) Mr. Thomas Hammarberg, Special Representative of the Secretary-General on the situation of human rights in Cambodia, in introduction of his report (E/CN.4/1998/95).

4. At the 33rd meeting, on 6 April 1988, Mr. Diego García-Sayán, member of the Secretary-General's mission to Guatemala, in introduction of the mission's report (E/CN.4/1998/93).

5. At the 34th meeting, on 6 April 1998, statements were made by:

(a) Ms. Leila I. Takla, Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, in introduction of her report (E/CN.4/1998/92);

(b) Ms. Mona Rishmawi, independent expert on the situation of human rights in Somalia, in introduction of her report (E/CN.4/1998/96).

6. In the general debate on agenda item 17, statements 2/ were made by the following members of the Commission: El Salvador (35th), Guatemala (33rd), India (34th), Italy (35th), Japan (34th), Madagascar (35th), Peru (34th), Russian Federation (35th), South Africa (34th), United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union, Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Romania, Slovakia and Slovenia) (35th).

7. The Commission heard statements by the observers for: Australia (40th), Haiti (40th), Lithuania (40th), the former Yugoslav Republic of Macedonia (40th), Togo (40th).

8. A statement was also made by the observer for the International Committee of the Red Cross (40th).

9. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (40th), International Human Rights Law Group (41st), International Indian Treaty Council (41st), Latin American Federation of Associations of Relatives of Disappeared Detainees (41st).

Assistance to Guatemala in the field of human rights

10. At the 43rd meeting, on 14 April 1997, the representative of Ecuador introduced draft resolution E/CN.4/1998/L.39, on behalf of the Latin American Group. Italy, Norway, Spain, Sweden and the United States of America subsequently joined the sponsors.

11. The representative of Ecuador orally revised the fifth preambular paragraph and added a new operative paragraph 3.

12. Statements in connection with the draft resolution were made by the representative of Guatemala and by the observer of the Unidad Revolucionaria Nacional Guatemalteca.

13. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/22.

Advisory services, technical cooperation and the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights

14. At the 52nd meeting, on 17 April 1998, the representative of Germany introduced draft resolution E/CN.4/1998/L.44, sponsored by Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Croatia, Denmark, El Salvador, Finland, France, Germany, Ireland, Italy, Lithuania, Luxembourg, Madagascar, the Netherlands, New Zealand, Poland, Portugal, the Russian Federation, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Uganda, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay. Belarus, Brazil, Cape Verde, Cyprus, the Dominican Republic, Ecuador, Greece, Guatemala, Hungary, Japan, Liechtenstein, Mongolia, Norway, Peru, the Republic of Korea, Romania, Togo, Tunisia and Ukraine subsequently joined the sponsors.

15. Statements in connection with the draft resolution were made by the representatives of India and the Philippines.

16. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/57.

Situation of human rights in Haiti

17. At the 52nd meeting, on 17 April 1998, the representative of Venezuela introduced draft resolution E/CN.4/1998/L.51, sponsored by Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, El Salvador, France, Guatemala, Haiti, Mexico, Peru, Uruguay and Venezuela. Bolivia, Denmark, Ecuador, Honduras, Japan, Senegal, Sweden and the United States of America subsequently joined the sponsors.

18. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/58.

Assistance to Somalia in the field of human rights

19. At the 52nd meeting, on 17 April 1998, the representative of Italy introduced draft resolution E/CN.4/1998/L.66, sponsored by Belgium, Ireland, Italy, Portugal, the Republic of Korea, Romania, South Africa, Spain, Sweden and the United States of America. Australia, Bulgaria, Canada, Cyprus, Denmark, France, Gabon, Japan, New Zealand and Norway subsequently joined the sponsors.

20. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/59.

Situation of human rights in Cambodia

21. At the 52nd meeting, on 17 April 1998, the observer for Australia introduced draft resolution E/CN.4/1998/L.71, sponsored by Australia, Italy, Japan, Romania, Sweden and the United Kingdom of Great Britain and Northern Ireland. Canada, Denmark, Finland, France, Germany, Ireland, New Zealand, Norway, Poland and the United States of America subsequently joined the sponsors.

22. Operative paragraphs 8, 9, 10 and 15 of the draft resolution were orally revised by the observer for Australia.

23. A statement in connection with the draft resolution was made by the representative of Indonesia (on behalf of the States members of the Association of South-East Asian Nations).

24. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 1/ of the draft resolution. In that regard, a statement of the estimated administrative and programme budget implications of draft resolution E/CN.4/1998/L.71 was issued in document E/CN.4/1998/L.99.

25. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/60.

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